

Congressional Record.

PROCEEDINGS AND DEBATES OF THE SIXTY-FOURTH CONGRESS, SECOND SESSION.

SENATE.

TUESDAY, February 13, 1917.

The Senate met at 11 o'clock a. m.

The Chaplain, Rev. Forrest J. Prettyman, D. D., offered the following prayer:

Almighty God, Thou hast taught us in Thy Word that if we are to look for a new heaven and a new earth it will be through the balance of the powers that Thou hast committed to us, powers of our civil, social, and religious life. The path of progress means the maturing of the full life of man, for Thou who didst send to us the message of life Divine hast said, I came that ye might have life and have it more abundantly. May we enter into such personal and intimate spiritual contact with God as that our lives may show forth that Divine conception of life and ever become fuller and diviner in its expression of service and sacrifice. For Christ's sake. Amen.

The Secretary proceeded to read the Journal of yesterday's proceedings, when, on request of Mr. JAMES and by unanimous consent, the further reading was dispensed with and the Journal was approved.

CALLING OF THE ROLL.

Mr. PENROSE. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Beckham	Johnson, S. Dak.	Overman	Smith, Md.
Brandegee	Jones	Page	Smith, S. C.
Bryan	Kenyon	Penrose	Smoot
Chamberlain	Kirby	Pittman	Stone
Chilton	La Follette	Ransdell	Sutherland
Culberson	Lea, Tenn.	Reed	Swanson
Cummins	Lodge	Robinson	Thompson
Fall	McCumber	Saulsbury	Tillman
Fernald	McLean	Shafroth	Townsend
Fletcher	Martin, Va.	Sheppard	Vardaman
Gallinger	Martine, N. J.	Sherman	Wadsworth
Hollis	Myers	Shields	Weeks
James	Nelson	Simmons	Williams
Johnson, Me.	Oliver	Smith, Ga.	Works

Mr. MARTINE of New Jersey. I beg to announce that the Senator from Oklahoma [Mr. GORE] is detained from the Senate owing to illness. I ask that this announcement may stand for the day.

The VICE PRESIDENT. Fifty-six Senators have answered to the roll call. There is a quorum present.

ENROLLED BILLS SIGNED.

The VICE PRESIDENT announced his signature to the following enrolled bills, which had previously been signed by the Speaker of the House:

S. 1061. An act to allow additional entries under the enlarged homestead act;
S. 1553. An act for the relief of Peter Kenney;
S. 2222. An act for the relief of the heirs of Antoine Bayard;
S. 2749. An act for the relief of George L. Thomas;
S. 2880. An act for the relief of Martin V. Parmer;
S. 3681. An act for the relief of the owners of the steamship *Esparta*;
S. 3743. An act to reimburse John Simpson;
S. 5203. An act for the relief of Gardiner L. Eastman;
S. 5632. An act for the relief of Aquila Nebeker;
S. 5985. An act authorizing the Commissioner of Navigation to cause the steamship *Republic* to be enrolled and licensed as a vessel of the United States;
S. 6595. An act to reimburse William Blair for losses and damages sustained by him by the negligent dipping of his cattle by the Bureau of Animal Industry, Department of Agriculture;
S. 6956. An act to authorize the construction, maintenance, and operation of a wagon bridge across the St. Francis River at a point one-half mile northwest of Parkin, Cross County, Ark.;

S. 7367. An act to authorize the construction and maintenance of a bridge across the St. Francis River at or near intersections of sections 13, 14, 23, and 24, township 15 north, range 6 east, in Craighead County, Ark.;

S. 7556. An act to grant to the Mahoning & Shenango Railway & Light Co., its successors and assigns, the right to construct, complete, maintain, and operate a combination dam and bridge and approaches thereto across the Mahoning River, near the borough of Lowellville, in the county of Mahoning and State of Ohio;

S. 7713. An act granting to the city and county of San Francisco, State of California, a right of way for a storm-water relief sewer through a portion of the Presidio of San Francisco Military Reservation;

S. 7924. An act authorizing the county of Beltrami, Minn., to construct a bridge across the Mississippi River in said county;

H. R. 8492. An act to restore homestead rights in certain cases; and

H. R. 8669. An act authorizing the Secretary of the Interior to extend the lease of certain land in Stanley County, S. Dak., for a buffalo pasture.

SAN JUAN COUNTY BRIDGE, NEW MEXICO.

The VICE PRESIDENT laid before the Senate the amendment of the House of Representatives to the bill (S. 5424) to construct a bridge in San Juan County, State of New Mexico, which was to strike out all after the enacting clause and insert:

That the Secretary of the Interior is hereby authorized and directed to cause to be constructed a steel bridge across the San Juan River in San Juan County, State of New Mexico, at the best and most available location west or southwest and near to the town of Farmington, in said county and at a cost to the Government of the United States not to exceed \$25,000, which sum, or so much thereof as may be necessary, is hereby appropriated, out of any money in the Treasury not otherwise appropriated, to defray the expense and cost of constructing said bridge: *Provided*, That said sum is to be reimbursable from any funds now or hereafter placed in the Treasury to the credit of the Navajo Indians of the State of New Mexico.

Mr. CATRON. I move that the Senate concur in the amendment of the House.

The motion was agreed to.

PAYMENT OF CLAIMS.

The VICE PRESIDENT laid before the Senate the amendments of the House of Representatives to the bill (S. 1878) making appropriation for payment of certain claims in accordance with findings of the Court of Claims, reported under the provisions of the acts approved March 3, 1883, and March 3, 1887, and commonly known as the Bowman and the Tucker Acts, and under the provisions of section 151 of the act approved March 3, 1911, commonly known as the Judicial Code.

Mr. BRYAN. I move that the Senate disagree to the amendments of the House and ask a conference on the disagreeing votes of the two Houses, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Vice President appointed Mr. BRYAN, Mr. ROBINSON, and Mr. GRONNA conferees on the part of the Senate.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by E. T. Taylor, jr., one of its clerks, announced that the House had passed the following bills:

S. 809. An act authorizing the Secretary of the Interior to accept the application for land entry of Richard Daeley;

S. 1361. An act for the relief of Thomas Smart; and

S. 1378. An act to amend the military record of John P. Fitzgerald.

The message also announced that the House agrees to the amendment of the Senate to the bill (H. R. 455) to define the rights and privileges of the trustees of municipally owned interstate railways and construing the act to regulate commerce with reference thereto.

The message further announced that the House disagrees to the amendments of the Senate to the bill (H. R. 19359) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1918, asks a conference with the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. LEVER, Mr. LEE, and Mr. HAUGEN managers at the conference on the part of the House.

The message also announced that the House agrees to the amendment of the Senate No. 13 to the bill (H. R. 19119) making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1918, and for other purposes, with an amendment, in which it requested the concurrence of the Senate; agrees to the amendment of the Senate No. 98 with an amendment, in which it requested the concurrence of the Senate; disagrees to the remainder of the amendments of the Senate to the bill; requests a conference with the Senate on the disagreeing votes of the two Houses thereon; and had appointed Mr. PAGE of North Carolina, Mr. McANDREWS, and Mr. DAVIS of Minnesota managers at the conference on the part of the House.

The message further announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H. R. 1764. An act for the relief of John Minahan, alias John Bagley;

H. R. 2212. An act for the relief of George F. Reid;

H. R. 2743. An act for the relief of the widow of Joseph C. Akin;

H. R. 3253. An act for the relief of Hudson Bros., of Norfolk, Va.;

H. R. 4626. An act to reimburse the Farmers' Savings Bank of Brandon, Iowa, for currency destroyed by fire;

H. R. 5091. An act for the relief of Preston B. C. Lucas;

H. R. 5182. An act requiring the Secretary of War to issue an honorable discharge to Benjamin R. Buffington;

H. R. 5690. An act for the relief of Alfred Rebsamen;

H. R. 5948. An act for the relief of Hays Gaskill;

H. R. 9335. An act for the relief of Mrs. W. E. Crawford;

H. R. 10255. An act for the relief of David Kirch;

H. R. 10869. An act to authorize the payment of certain amounts for damages sustained by prairie fire on the Rosebud Indian Reservation in South Dakota;

H. R. 10872. An act making an appropriation to Stuart, Lewis, Gordon & Rutherford, in payment of legal services rendered by them to the Creek Nation;

H. R. 13354. An act to compensate Thomas G. Allen for injuries received while employed in the General Land Office of the United States, and making an appropriation therefor;

H. R. 13754. An act for the relief of Charles A. Carey;

H. R. 14345. An act to reimburse J. B. Patterson, postmaster of Lacon, Morgan County, Ala., for certain postage stamps stolen;

H. R. 14679. An act for the relief of Jacob B. Moore;

H. R. 14695. An act for the relief of Mrs. H. O'Neill;

H. R. 14754. An act for the relief of Charles M. Way;

H. R. 15233. An act for the relief of William A. Persons;

H. R. 15644. An act for the relief of James S. Risher; and

H. R. 16116. An act for the relief of Adelaide L. Gibbs, widow of Robert M. Gibbs.

ENROLLED BILL SIGNED.

The message also announced that the Speaker of the House had signed the enrolled bill (H. R. 17055) providing when patents shall issue to the purchaser or heirs on certain lands in the State of Oregon, and it was thereupon signed by the Vice President.

PETITIONS AND MEMORIALS.

Mr. LODGE. I present a resolution of the Board of Trade of Brookline, Mass., indorsing the action of the President in severing diplomatic relations with Germany. I ask that the resolution be printed in the RECORD without reading. It is a very brief one.

There being no objection, the resolution was referred to the Committee on Foreign Relations and ordered to be printed in the RECORD, as follows:

BROOKLINE BOARD OF TRADE,
Brookline, Mass., February 9, 1917.

Hon. HENRY CABOT LODGE,
United States Senate, Washington, D. C.

MY DEAR SIR: It is with pleasure that I affix hereto a copy of the resolution which it was my privilege to present at the meeting of the Brookline Board of Trade last evening and which was unanimously adopted and ordered spread upon our records:

"Resolved, That we, members of the Brookline Board of Trade, in meeting assembled, heartily indorse the action of Woodrow Wilson, President of these United States, in severing diplomatic relations with Germany, and fully realizing the possible consequences, but recogniz-

ing no lines of party, race, or creed, do hereby pledge our loyal, patriotic support to the President and the Congress of the United States in this grave national crisis."

Cordially, yours,

W. D. ALLEN, Secretary.

Mr. LODGE presented petitions of the Fitchburg Training School, of Fitchburg, and of Old Middlesex Chapter, Sons of the American Revolution, of Lowell, in the State of Massachusetts, praying for compulsory military training, which were ordered to lie on the table.

Mr. OLIVER. I have here three short telegrams relating to postage on second-class mail matter, which I should like to have printed in the RECORD. The first of them I should like to have read by the Secretary.

There being no objection, the telegrams were ordered to be printed in the RECORD and the first one was read by the Secretary, and they were ordered to lie on the table, as follows:

PHILADELPHIA, PA., February 12, 1917.

Senator OLIVER,
United States Senate, Washington, D. C.:

Change in second-class postal rates would seriously affect business of American Baptist Publication Society and cripple the work of over 12,000 Baptist Sunday schools. We seek a hearing.

GUY C. LAMSON, Secretary.

SMETHPORT, PA., February 12, 1917.

Hon. GEORGE T. OLIVER,
Senate of the United States, Washington, D. C.:

If proposed increase of second-class postal rate goes through it will be the ruin of many hundreds of publications. Publishers simply can not stand any increase in second-class postal rate at this time. The increased cost of paper alone has already wiped out a large number of publications.

THE BOYS' MAGAZINE.

NEW YORK, February 12, 1917.

Hon. GEORGE T. OLIVER,
Washington, D. C.:

Can not protest too strongly against increase in postal rate at this time. Increased cost of paper and other manufacturing necessities threaten to cause many publications to suspend. A few rich corporations might be able to stand an increase, which would create for them a monopoly, because their poorer competitors would be put out of business. Very few religious publications are now able to make ends meet. If they are compelled to pay the increased rate it will be impossible for them to survive.

THE CHRISTIAN HERALD.

Mr. OLIVER presented a petition of the Socialist Party of McKeesport, Pa., praying that no further action be taken that would involve this country in war with Germany, which was referred to the Committee on Foreign Relations.

Mr. JONES. I have a telegram here from Mr. J. F. Duthie & Co., of Seattle, and also one from the Chamber of Commerce, of Aberdeen, Wash., protesting against the proposed amendment to the shipping act by which vessels built here can not enter navigable waters until they become owned by American citizens. They are similar to the telegrams I submitted yesterday, which were printed in the RECORD. I ask that the telegrams be referred to the Committee on Commerce.

THE VICE PRESIDENT. They will be so referred.

Mr. JONES presented a petition of sundry citizens of Lake Samish, Wash., praying for national prohibition, which was ordered to lie on the table.

Mr. CHAMBERLAIN. Referring to the statement of the Senator from Washington [Mr. JONES] I desire to say that I have received a number of telegrams along the same line as those he presented yesterday and along the line of his statement this morning, protesting against the enactment of any law which might provide that no vessel now being constructed or to be constructed in the United States shall enter upon the navigable waters of the United States unless owned by citizens of the United States. I have not thought it necessary to print them in the RECORD, because I have received a good many from citizens in my State and I merely desire to call attention to them.

Mr. MARTINE of New Jersey. I present a petition of members of Princeton University, Princeton, N. J., tendering military service. I ask that it be printed in the RECORD.

There being no objection, the petition was referred to the Committee on Military Affairs and ordered to be printed in the RECORD, as follows:

GENTLEMEN: We, the undersigned, members of Princeton University, Princeton, N. J., hereby petition the Congress of the United States to enact immediately legislation establishing in the United States a system of compulsory universal military training. We, as men upon whom the burden of such training would naturally fall, believe that under actual existing circumstances the time has now arisen when such a step should be taken.

Mr. MARTINE of New Jersey. I present a telegram from A. A. Gray, of Chicago, Ill., protesting against an increase in rates on second-class postage, which I ask may be printed in the RECORD.

There being no objection, the telegram was ordered to be printed in the RECORD, as follows:

Hon. JAMES E. MARTINE,
Washington, D. C.:

CHICAGO, February 10, 1917.

The associated business papers representing publishers of professional, scientific, industrial, and business journals of this country, respectfully request your assistance in opposing at this time any increase in rates for second-class postage. Our publications are all struggling under great increases in cost of paper, printing material, and labor. Any increase now would impose extra burden from which many publishers of very valuable publications, rendering great service to the country, could not recover.

A. A. GRAY, President.

Mr. MYERS. I present a memorial from the Legislature of Montana, favoring the enactment of hydroelectric power legislation, which I ask may be printed in the RECORD.

There being no objection, the memorial was ordered to lie on the table and to be printed in the RECORD, as follows:

House joint resolution — (Introduced by Harbert.)

A resolution memorializing Congress for the passage of hydroelectric power legislation that will enable the Government to lease power sites to private legitimate enterprises under proper rules and regulations.

To the honorable Senate and House of Representatives in the Congress of the United States assembled:

Whereas the waterways of this State abound in water power, it being conservatively estimated that about one-tenth of the total potential water power in the United States lies within the borders of our own State, a very small proportion of which is now developed;

Whereas the development of the various Government power sites in this State by private enterprise would add millions of dollars to our tax rolls and develop the greatest national resource we have;

Whereas the members of this legislative assembly believe that our forests and coal beds should not be needlessly exploited and the development of the Government power sites would help conserve two of our greatest natural resources;

Whereas an early development of the aforesaid water-power sites would induce manufacturing industries to operate in this State, would encourage railways to electrify their lines and would furnish electrical energy in such abundance that our people could cheaply electrify and heat their homes: Now, therefore, be it

Resolved, That the House of Representatives of the Fifteenth Legislative Assembly of the State of Montana, the Senate concurring herein, that we petition the Congress of the United States for the necessary legislation that will enable the Government to lease power sites to private enterprises under such rules and regulations as will safeguard the interests of the people and yield to the lessee a fair return upon the money actually invested.

Resolved further, That a copy of this memorial be forwarded by the secretary of state of Montana to the Senate of the United States.

And that a copy of this memorial be forwarded by the secretary of state of Montana to the House of Representatives of the United States: And be it further

Resolved, That a copy hereof be transmitted by the secretary of state of the State of Montana to the Senators and Representatives in Congress of the State of Montana, with the request that they use every effort within their power to bring about a speedy action for the accomplishment of the ends and purposes herein indicated.

JAMES F. O'CONNOR,
Speaker of the House.
W. W. McDOWELL,
President of the Senate.

Mr. JAMES. I have telegrams here from the Christian Herald, of New York; from Urey Woodson, of Owensboro, Ky.; and from the Georgetown News, of Kentucky, protesting against an increase in the rate upon newspapers. I ask to have the telegrams printed in the RECORD.

There being no objection, the telegrams were ordered to lie on the table and to be printed in the RECORD, as follows:

Hon. OLLIE M. JAMES,
Washington, D. C.:

NEW YORK, February 12, 1917.

Can not protest too strongly against increase in postal rate at this time. Increased cost of paper and other manufacturing necessities threaten to cause many publications to suspend. A few rich corporations might be able to stand an increase, which would create for them a monopoly, because their poorer competitors would be put out of business. Very few religious publications are now able to make ends meet. If they are compelled to pay the increased rate, it will be impossible for them to survive.

THE CHRISTIAN HERALD.

OWENSBORO, KY., February 12, 1917.

Hon. OLLIE M. JAMES,
Washington, D. C.:

Proposed increase in second-class postage rate would cost papers like mine \$1,000 per year first year, \$2,000 thereafter. This in addition to high price of paper would put many out of business.

UREY WOODSON.

GEORGETOWN, KY., February 11, 1917.

Senator OLLIE JAMES,
Care Senate Office Building, Washington, D. C.:

Please do all in your power to strike out 1½-cent postage amendment on Senate Post Office appropriation bill on second-class mail matter which deals a heavy blow under the high cost of news-print material to every Kentucky newspaper. Advise me regarding same.

GEORGETOWN NEWS,
By J. M. ALVERSON.

Mr. GALLINGER. For the purpose of relieving the pressure upon the columns of the CONGRESSIONAL RECORD I will state in a very few words the substance of three or four telegrams I have in my hand.

The first one is from W. P. Davis, secretary of the Granite State Dairymen's Association, protesting against a reduction of the tax on oleomargarine; one from the National Housewives League, signed by Mrs. Julian Heath, in favor of the reduction of the tax on oleomargarine; and two telegrams, one from the Christian Herald and the other from Edwin R. Graham, chairman of some organization, both protesting against the increase of rate on second-class mail matter. I will not ask that they be printed in the RECORD, but merely make this statement to show that I have called attention to them.

Mr. SMITH of South Carolina. I present a memorial, which I ask may be printed in the RECORD and referred to the Committee on Naval Affairs.

There being no objection, the memorial was referred to the Committee on Naval Affairs and ordered to be printed in the RECORD, as follows:

BEAUFORT CHAMBER OF COMMERCE,
Beaufort, S. C., February 10, 1917.

Hon. E. D. SMITH,
United States Senate, Washington, D. C.

DEAR SIR: We, the mayor and city council, chamber of commerce, and citizens of Beaufort, town and county, South Carolina, respectfully desire to call your attention, as our duly authorized representative, to the entirely defenseless condition of Port Royal Harbor.

This harbor is one of the best on the South Atlantic coast, and, though it is true that the town of Beaufort is small, the amount of property exposed to attack is limited in value, it is equally true that from a military point of view Port Royal would be of immense value to an enemy as a naval and military base, and was so utilized by the Union forces in the war of 1861-1865.

It is possible to take a vessel drawing 26 feet across the bar at the entrance to Port Royal Sound and to a point on the mainland known locally as Foot Point. From that point, within range of modern guns, are three trunk lines of railroad, the Atlantic Coast Line, the Southern, and the Seaboard Air Line, from Charleston to Savannah, crossing Broad River.

The city of Savannah is distant 21 miles in an air line, while Fort Screven, distant less than 19 miles, could be shelled in reverse.

At Fort Fremont, Port Royal's only defense, are four 10-inch guns, with absolutely no force to handle or protect them. The wharf for landing supplies has been allowed to fall to pieces to such extent that ammunition for these guns would have to be landed in small boats from a transport. An individual with a case of high explosives can now at any hour of the day or night go there and destroy these guns unhindered.

A large marine recruit depot lies open to attack within this harbor. We have been informed that at least one commander of the Savannah artillery district has recommended that Port Royal be made the left flank of the defenses of which Brunswick, Ga., is the right and Savannah the center, and that a powerful battery of 14-inch rifles be installed at Fort Fremont, and that a railroad be run down St. Helena Island from Beaufort, terminating at Fort Fremont, now accessible only by water.

We are not in the least alarmed or excited in making this request, but respectfully submit that it is the duty of the General Government to protect so open a harbor from possible possession or aggression by a foreign foe, and also to protect us, its citizens, from danger and insult incident to such possession.

Yours, respectfully,

CHAS. E. DANNER,
Mayor of Beaufort.
W. F. MARSCHER,
Member of Council.
W. E. RICHARDSON,
Member of Council.
GEORGE WATERHOUSE,
J. B. TURNER,
W. H. HULL, Chairman,
Special Committee from Chamber of Commerce.

Mr. SHIELDS. I have two telegrams from Tennessee concerning postal rates on daily papers and some others. I ask that the first be read and that the others be printed in the RECORD.

There being no objection, the telegrams were ordered to lie on the table and to be printed in the RECORD, and the first one was read, as follows:

NASHVILLE, TENN., February 12, 1917.

Hon. JOHN K. SHIELDS,
Washington, D. C.:

Amendment to Post Office appropriation bill increasing rates on newspapers, with enormously increased cost of white paper exacted by manufacturers, will mean that either the circulation price of paper must be largely increased or that the newspapers will have to quit publication. There would be no serious objection to an increase of postage rate outside of a zone of, say, 300 miles from point of publication, but to apply the advance otherwise would be ruinous to daily newspapers published in the South and other sections.

E. B. STAHLMAN.

NASHVILLE, TENN., February 12, 1917.

Hon. J. K. SHIELDS,
United States Senate, Washington, D. C.:

Regardless of the merits of the main question, this is no time to increase postage rates to publishers. A Government which is unable to protect us against an outrageous hold-up by paper mills should not multiply our troubles while we are engaged in a fight for existence.

SOUTHERN AGRICULTURIST CO.

HON. JOHN K. SHIELDS,
United States Senate, Washington, D. C.

DEAR SIR: I wish to call your attention to section 10 of the Post Office appropriation bill now pending in Congress (H. R. 19410), and also to a bill recently introduced by C. H. RANDALL, Member of Congress from California (H. R. 20204) "to establish rates of postage on second-class matter."

The purpose of these measures is to have certain papers and magazines delivered hereafter by parcel post, paying zone rates. This would greatly increase the cost of delivery and practically put many of them out of business.

You will realize that such a law would be a blow at the education and enlightenment of the masses of our people by curtailing their sources of information, a result, in a great measure, disastrous to progress. I believe that you fully realize the evil effects of such a law, and that you will use your influence and vote to defeat it should it come before the Senate.

Sincerely, yours,

N. O. WALKER.

ATLANTA, GA., February 12, 1917.

HON. JOHN KNIGHT SHIELDS,
United States Senate, Washington, D. C.

Thirty-five trade publications and allied printing interests of the South and their employees beg that you will not put a tax on intelligence and curtail the educational work these publications are doing for the South by increasing the cost of second-class postage.

SOUTHERN PERIODICAL PUBLISHERS' ASSOCIATION.

CHICAGO, ILL., February 11, 1917.

JOHN K. SHIELDS,
United States Senate, Washington, D. C.

We represent over 7,000,000 farmer subscribers to high-grade farm papers, and in their behalf and in behalf of our already overburdened publishers we vigorously oppose any disturbance of existing postal rates for second-class matter at this time. No one is now qualified to foretell the future. Wait until conditions are normal, then reorganize entire system. Give us a chance to be heard. Change now would work great hardship to all and ruin to many and would not bring a gain to the Government.

FRANK B. WHITE,
Managing Director Agricultural Publishers' Association.

CHATTANOOGA, TENN., February 12, 1917.

HON. JOHN K. SHIELDS,
Washington, D. C.

Executive committee of Southern Newspaper Publishers' Association. In session here to-day, begs to bring before you the fact that newspapers already have had great burdens placed on them by enormous increase in cost of white paper and in all other expenses of publication. Hundreds have been forced out of business, and others probably will be if additional burdens are imposed. We protest against proposed increase of pound postage under bill reported by Post Office Committee in Senate. Subscriptions paid for largely in advance and with no anticipation of such an increase in postage. If advance is found absolutely necessary on second-class postage, we believe zone system to be fairer and will not impose such unjust burdens.

Robt. S. Jones, president of the Citizen, Asheville, N. C.; F. G. Bell, first vice president of the News, Savannah, Ga.; D. D. Moore, second vice president of the Times-Picayune, New Orleans, La.; Walter C. Jones, secretary-treasurer of the News, Chattanooga, Tenn.; Victor Hanson, Birmingham (Ala.) News; E. M. Foster, Nashville (Tenn.) Banner; C. B. Johnson, Knoxville (Tenn.) Sentinel; Jas. H. Allison, Nashville (Tenn.) Tennessean; A. F. Sanford, Knoxville (Tenn.) Journal and Tribune; G. J. Palmer, Houston (Tex.) Post; W. T. Anderson, Macon (Ga.) Telegraph; W. A. Elliott, Jacksonville (Fla.) Times-Union; Robt. Latham, Charleston (S. C.) News and Courier; Elmer Clark, Little Rock (Ark.) Democrat; W. E. Thomas, Roanoke (Va.) Times; W. B. Sullivan, Charlotte (N. C.) Observer.

NASHVILLE, TENN., February 12, 1917.

HON. JOHN K. SHIELDS,
United States Senate, Washington, D. C.

We protest against passage of amendment to Senate bill increasing postage on second-class mail matter. Publishers are now burdened with great increase of cost of paper and all printing material.

SMITH & LAMAR,
Publishing Agents M. E. Church South.

NEW YORK, N. Y., February 12, 1917.

Senator JOHN K. SHIELDS,
Washington, D. C.

The religious press of America earnestly protest against the passage of Senate amendment increasing second-class postage. It will work hardship to publications of Protestants, Catholics, and Hebrews, many of which are published without profit. It will discontinue many of these publications, thus removing their influence for moral and religious training in the homes of America, where the foundations for better citizenship are laid.

EDWIN R. GRAHAM, Chairman.

NEW YORK, N. Y., February 12, 1917.

HON. JOHN K. SHIELDS,
Washington, D. C.

Can not protest too strongly against increase in postal rate at this time. Increased cost of paper and other manufacturing necessities threaten to cause many publications to suspend. A few rich corporations might be able to stand an increase, which would create for them a monopoly, because their poorer competitors would be put out of business. Very few religious publications are now able to make ends meet. If they are compelled to pay the increased rate, it will be impossible for them to survive.

THE CHRISTIAN HERALD.

Mr. VARDAMAN. I ask to have printed in the RECORD a telegram from a number of people of Vicksburg, Miss., favoring the adoption of the Gronna amendment for prohibition in Porto Rico.

There being no objection, the telegram was ordered to lie on the table and to be printed in the RECORD, as follows:

VICKSBURG, MISS., February 12, 1917.

Senator JAMES K. VARDAMAN,
Washington, D. C.

Your support asked for Gronna prohibition amendment for Porto Rico.

T. B. Holloman, Geo. A. Smith, F. H. Henderson, A. K. Brookshear, Mrs. R. L. McLaurin, Louis G. Corliss, Mrs. Vick Robbins, J. G. Hackle, Mrs. C. B. Droke, Mrs. C. D. Yerger, H. C. Allein, E. B. Henderson, and others.

Mr. CHAMBERLAIN. I present a joint memorial of the Legislature of Oregon, which I ask may be printed in the RECORD.

There being no objection, the joint memorial was ordered to lie on the table and to be printed in the RECORD, as follows:

Senate joint memorial 15.

To the honorable the Senators and Representatives in Congress assembled:

We, your memorialists, the members of the Oregon Legislature, would most respectfully call the attention of your honorable body to an incongruity in our laws relative to naturalization and citizenship which works an injustice to quite a number of the citizens of the Republic.

Several States of the Union have adopted equal suffrage, whereby both men and women are accorded equal prerogatives and privileges in the exercise of the elective franchise. Under the law a woman having all the qualifications of a legal voter—in fact, she may have exercised the right to vote—should she marry a foreigner not yet naturalized is thereby disfranchised, while if the woman from a foreign country, ignorant of our laws, should marry a citizen of the United States she at once becomes a legal voter. This manifest injustice should be corrected, and we earnestly urge your honorable body to do so, either by amending the present laws or by some adequate enactment that will accomplish such desired result. All that we ask is that equal qualifications be required of and equal privileges granted to each individual voter, irrespective of sex or the marriage relation in the States adopting equal suffrage, thereby harmonizing the operation of our laws with the civic progressiveness of twentieth century civilization.

And your memorialists will ever pray.

The chief clerk of the senate is directed, upon the adoption of this memorial by the house and senate, to transmit copies of the same to the Members of the Oregon delegation in Congress.

Concurred in by the house February 2, 1917.

R. N. STANFIELD,
Speaker of the House.

Adopted by the senate January 30, 1917.

GUS C. MOSER,
President of the Senate.

STATE OF OREGON,
SENATE CHAMBER.

I, J. W. Cochran, chief clerk of the Senate of the Twenty-ninth Legislative Assembly of the State of Oregon, do hereby certify that I have carefully compared the annexed copy of senate joint memorial 15, Twenty-ninth Legislative Assembly, State of Oregon, with the original thereof as adopted by the senate January 30, 1917, and concurred in by the house February 2, 1917, and that the same is a full, true, and correct transcript therefrom and of the whole thereof.

In witness whereof I have hereunto set my hand this 6th day of February, 1917.

J. W. COCHRAN,
Chief Clerk Senate.

Twenty-ninth Legislative Assembly of the State of Oregon.

Mr. CHAMBERLAIN. I present a joint memorial of the Legislature of Oregon, which I ask may be printed in the RECORD and referred to the Committee on Public Lands.

There being no objection, the joint memorial was referred to the Committee on Public Lands and ordered to be printed in the RECORD, as follows:

Senate joint memorial No. 10, relating to the recession to the State of Oregon by the United States of all its right, title, interest, and claim in and to "Lower" or "Little Klamath Lake" in Klamath County, Oreg., and all its right, title, interest, and claim in and to any and all of the lands surrounding said Lower Klamath Lake in Klamath County, Oreg., ceded to it by an act of the Legislature of the State of Oregon, approved January 20, 1905 (Stats. of 1905, p. 63).

Whereas the Legislature of the State of Oregon passed an act, approved January 20, 1905, of which the following is a copy:

"CHAPTER V.

An act to authorize the utilization of Upper Klamath Lake, Lower or Little Klamath Lake, and Tule or Rhett Lake, situate in Klamath County, Oreg., and Goose Lake, situate in Lake County, Oreg., in connection with the irrigation and reclamation operations of the Reclamation Service of the United States, and to cede to the United States all the right, title, interest, and claim of the State of Oregon to any and all lands recovered by the lowering of the water levels, or by the drainage of any or all of said lakes.

"Be it enacted by the people of the State of Oregon:

"SEC. 1. That for the purpose of aiding in the operations of irrigation and reclamation, conducted by the Reclamation Service of the United States, established by the act of Congress, approved June 17, 1902 (32 Stat., 388), known as the reclamation act, the United States is hereby authorized to lower the water level of Upper Klamath Lake, situate in Klamath County, Oreg., and to lower the water level of, or to drain any or all of the following lakes: Lower or Little Klamath Lake, and the Tule or Rhett Lake, situate in Klamath County, Oreg., and Goose Lake, situate in Lake County, Oreg.; and to use any part or all of the beds of said lakes for the storage of water in connection with such operations.

"Sec. 2. That there be, and hereby is, ceded to the United States all the right, title, interest, or claim of this State to any land uncovered by the lowering of the water levels, or by the drainage of any or all of said lakes not already disposed of by the State; and the lands hereby ceded may be disposed of by the United States, free of any claim on the part of this State in any manner that may be deemed advisable by its authorized agencies, in pursuance of the provisions of said reclamation act."

Approved January 20, 1905.

Filed in the office of the secretary of state January 20, 1905; and Whereas the Reclamation Service of the United States has not, during the 12 years which have elapsed since the approval of the aforesaid act, lowered the water level of said "Lower" or "Little Klamath Lake" nor used the bed of said lake for the purpose of storing water to use in connection with the reclamation of the land adjacent to said lake, and there are no indications that the Reclamation Service intends to ever reclaim the land, thereby accomplishing the purposes of the Legislature of the State of Oregon as expressed in said act of January 20, 1905; and

Whereas there is a large body of swamp and overflowed land surrounding said lake in Klamath County unfit for cultivation without reclamation upon the title to which a cloud has been cast by the above-mentioned act, which it is necessary to remove before such land can be successfully thrown open to entry, reclamation, and cultivation: Therefore

Resolved by the senate (the house concurring), That we request our Senators and Representatives in Congress to use their influence to have a bill introduced and passed by Congress and approved by the President of the United States, ceding back to the State of Oregon the right to use all or any part of the bed of "Lower" or "Little Klamath Lake" for the storage of water connected with the operations of the Reclamation Service of the United States, and also ceding back to the State all the right, title, interest, or claim of the United States in or to any of the lands surrounding or connected with said lake in Klamath County, ceded to it by the above-mentioned act of the Legislature of Oregon, to the end that such lake, water, and land shall be returned to said State as they were prior to the approval of said act, and be governed by the general laws by which they were governed prior thereto, reserving, however, to the United States the right to lower the water level in said lake as provided in said act.

Resolved, That the chief clerk of the Senate of the State of Oregon be directed to transmit by mail a copy of this memorial to the President of the United States Senate and the Speaker of the House of Representatives of the United States and to each of the Senators and Representatives from the State of Oregon in Congress.

Concurred in by the house February 2, 1917.

R. N. STANFIELD,
Speaker of the House.

Adopted by the senate January 30, 1917.

GUS C. MOSER,
President of the Senate.

STATE OF OREGON,
SENATE CHAMBER.

I, J. W. Cochran, chief clerk of the Senate of the Twenty-ninth Legislative Assembly of the State of Oregon, do hereby certify that I have carefully compared the annexed copy of senate joint memorial No. 10, Twenty-ninth Legislative Assembly, State of Oregon, with the original thereof as adopted by the senate January 30, 1917, and concurred in by the house February 2, 1917, and that the same is a full, true, and correct transcript therefrom and of the whole thereof.

In witness whereof I have hereunto set my hand this 6th day of February, 1917.

J. W. COCHRAN,
Chief Clerk Senate.
Twenty-ninth Legislative Assembly of the State of Oregon.

Mr. KERN presented memorials of sundry citizens of Indianapolis and Gas City, in the State of Indiana, remonstrating against the United States becoming involved in the European war, which were referred to the Committee on Foreign Relations.

Mr. PHELAN presented a petition of the Chamber of Commerce of Los Angeles, Cal., praying for the enactment of legislation to provide for making the Pacific coast safe for marine travel, which was referred to the Committee on Commerce.

Mr. McLEAN presented petitions of sundry citizens of Meriden and Stamford, in the State of Connecticut, praying for national prohibition, which were ordered to lie on the table.

He also presented a petition of the Socialist Party of Hamden, Conn., praying for peace in Europe, which was referred to the Committee on Foreign Relations.

Mr. SIMMONS presented petitions of sundry citizens of North Carolina, praying for national prohibition, which were ordered to lie on the table.

Mr. WEEKS presented a petition of the United Irish Societies of Springfield, Mass., praying for the freedom of Ireland; which was referred to the Committee on Foreign Relations.

Mr. TOWNSEND presented a petition of Typographical Union No. 81, of Bay City, Mich., praying for an increase in the salaries of printers in the Postal Service, which was ordered to lie on the table.

He also presented petitions of sundry citizens of Detroit, Mich., praying the the United States keep out of the European war, which were referred to the Committee on Foreign Relations.

REPORTS OF COMMITTEES.

Mr. BECKHAM, from the Committee on Claims, to which was referred the bill (H. R. 1584) to carry out the findings of the Court of Claims in the case of Louis Landram, administra-

tor of William J. Landram, deceased, reported it without amendment and submitted a report (No. 1041) thereon.

Mr. BRYAN, from the Committee on Claims, to which were referred the following bills, reported them each without amendment and submitted reports thereon:

H. R. 11498. An act making an appropriation to compensate James M. Moore for damages sustained while in the service of the Government of the United States (Rept. No. 1044); and

H. R. 17406. An act for the relief of Eugene Fazzli (Rept. No. 1045).

Mr. FERNALD, from the Committee on Claims, to which was referred the bill (H. R. 8093) for the relief of Wilson M. Dent, reported it without amendment and submitted a report (No. 1043) thereon.

Mr. ROBINSON, from the Committee on Claims, to which was referred the bill (H. R. 16855) for the relief of Riverside Military Academy, reported it without amendment and submitted a report (No. 1042) thereon.

Mr. POMERENE, from the Committee on Civil Service and Retrenchment, to which was referred the bill (S. 3079) for the retirement of employees in the classified civil service, reported it with amendments and submitted a report (No. 1046) thereon.

Mr. BANKHEAD, from the Committee on Post Offices and Post Roads, to which was referred the bill (H. R. 16827) for the relief of Henry P. Grant, of Phillips County, Ark., reported it without amendment and submitted a report (No. 1047) thereon.

Mr. SHEPPARD, from the Committee on Military Affairs, to which was referred the bill (S. 4570) to authorize the President to appoint Col. L. Mervin Maus to the grade of brigadier general in the United States Army and place him on the retired list, reported it without amendment and submitted a report (No. 1040) thereon.

THE REVENUE.

Mr. SIMMONS. Mr. President, from the Committee on Finance, I present a favorable report on the bill (H. R. 20573) to provide increased revenue, to defray the expenses of the increased appropriations for the Army and the Navy and the extensions of fortifications, and for other purposes, with sundry amendments, and I submit a written report (No. 1039) thereon.

Mr. PENROSE. Mr. President, does the chairman of the committee file a report with that measure?

Mr. SIMMONS. Yes; I file a report with it.

Mr. PENROSE. The minority will file a report to-day or to-morrow and, of course, dissent from the favorable report of the bill.

Mr. SIMMONS. That is entirely satisfactory.

Mr. PENROSE. The minority were permitted to be in the committee room for about two minutes.

Mr. SIMMONS. Mr. President, the Senator from Pennsylvania means that he stayed but two minutes. He was invited to stay as long as it was convenient for him to stay.

Mr. PENROSE. I merely want to state, for the information of the Senate, that the minority have not yet had an opportunity even to have the bill read. They were permitted about two minutes yesterday to see the outside of the measure in the committee room. Hence their inability to frame a report in time for this morning's session.

Mr. SIMMONS. Mr. President, I think I probably ought to state to the Senate that, following the usual custom, I shall not be disposed to call this bill up until the minority has had reasonable time to examine the bill and to prepare for its discussion. I should like, however, to inquire now of the Senator from Pennsylvania, who is the ranking member of the minority on the Finance Committee, if it would be satisfactory to call this bill up on Friday? That would allow three days.

Mr. PENROSE. Mr. President, I am informed that there are eulogies set down for Saturday, and so I would suggest to the chairman of the committee the propriety perhaps of calling the bill up on Monday.

Mr. SIMMONS. If the bill is not called up on Friday I shall prefer to call it up on Thursday. I think that the time before the session expires is so short that we ought not to put it off until Monday, unless it is absolutely necessary to do so.

I trust that some arrangement may be made by which the eulogies, referred to by the Senator from Pennsylvania, may be delivered on Sunday, instead of taking up Saturday for that purpose, because, after we once start with the consideration of the bill, I hope to continue its consideration until final disposition.

Mr. PENROSE. Of course, this is the first information that I have had of any suggestion that the eulogies should be postponed until Sunday. Such action is certainly unprecedented

in the Senate whatever may have been the custom in the other House. I recall on a similar occasion when the former Senator from Georgia, the late Senator Bacon, very vigorously protested against such an innovation as the holding of eulogy ceremonies in the Senate on Sunday.

So far as the minority of the committee are concerned, I am literally correct when I state that they have had no opportunity even to read this bill. The hearings, such as were had, were had only before members of the majority. The minority members were certainly not invited to attend, and I do not know whether or not they would have been permitted to be present. I am not even informed as to whether or not the hearings were printed or whether stenographers were present to take down the hearings. I ask the chairman of the committee whether those hearings have been taken down by stenographers?

Mr. SIMMONS. I will state to the Senator from Pennsylvania that the hearings were open to the public; the press were invited, if they so desired, to attend. The hearings were all taken down stenographically, and the hearings, together with all the briefs that have been filed, will be printed for the use of the Senate.

Mr. PENROSE. "Will be," Mr. President.

Mr. SIMMONS. The hearings have been ordered to be printed. They have not yet been received at my office, so far as I am advised. I can not state to the Senator exactly when they will be ready for distribution and for the use of the Senate. They may be ready to-day, possibly not until to-morrow.

Mr. PENROSE. I ask the Senate to note the remark of the chairman—"will be printed." As the ranking member of the minority on the Finance Committee I have never received any official notice of these hearings, nor has any other member of the minority. I have no information, direct or indirect, as to when these hearings were held or who appeared before the committee, nor, Mr. President, have I any information as to how anyone wanting a hearing could obtain a hearing from the subcommittees of the majority.

Mr. LODGE. Will the Senator from Pennsylvania permit me a moment?

Mr. PENROSE. Yes, sir.

Mr. LODGE. All that the Senator from Pennsylvania says is quite true about our having no opportunity to be present; but neither was there opportunity given at any of these hearings to cross-examine the witnesses.

Mr. PENROSE. No.

Mr. SIMMONS. I beg pardon of the Senator from Massachusetts. I did not hear his statement. There is so much noise in the Chamber that we can not hear Senators.

Mr. PENROSE. Then I should like to have order, and I will repeat my statement. I said that not a member of the minority had any notice officially, direct or indirect, of the hearings, when they were to be held, the personnel of the subcommittees, or how hearings could be obtained. Some of the greatest manufacturers in my own State came to me to ask for hearings, and I was unable to get any information as to the time or the place of the hearings or how they could be obtained, and I told them to go home.

The chairman says these hearings "will be printed," and the minority are asked to agree on a date for the consideration of the bill when they have not even had an opportunity to read the printed hearings, much less to examine the printed bill, which only saw the light of day yesterday evening and was reported this morning.

It is not disclosing any confidential act of the committee to state that the most perfunctory session was held; the bill was not read; and the minority was simply afforded an opportunity to record their dissent.

I have been a member of the Finance Committee, Mr. President, for 15 or 20 years, and for a period of that time I was chairman of the committee; but I do not recall an instance where hearings, supposed to be open to the public and to those interested, held at the expense of the contingent fund of the Senate, with stenographers taking the testimony, were not held before the full committee, Democrats and Republicans. I myself know that when I was chairman of the committee hearings were held for months on the reciprocity bill and other tariff measures pending before the committee, and in every case the records of the committee will show that the then minority were invited and that many of them were glad to attend. The hearings were held with open doors, with scores of people present, the testimony taken, and that testimony will indicate that the then Democratic minority had ample opportunity to cross-examine the witnesses, and did so cross-examine them. I recall that the Senator from Mississippi [Mr. WILLIAMS] was exceedingly active on more than one occasion in cross-examining busi-

ness men who appeared before the committee; but we the minority have had no such opportunity or courtesy extended to us.

I do not rise, Mr. President, by way of complaint, because I have become somewhat calloused to these methods of the majority and cheerfully and thankfully take whatever crumbs may fall from the table; but I do feel that it is my duty to call the attention of the country to the methods by which this legislation comes before the Senate. It is an old story, and I shall not elaborate further on it.

When the chairman of the committee says that he wants to bring this bill up on Friday and postpone the eulogies set for Saturday, transfer them in a flippant way to Sunday, I can not do more than record a mild dissent. Thursday certainly seems a remarkably early period, Mr. President; in fact, any suggestion of a time for bringing up the bill seems to me premature until the hearings have been printed and are before the Senate.

Mr. SIMMONS. Mr. President, with reference to holding memorial services on Sunday, it is well known that the other House has for many years adopted that as a custom and has followed it. I see nothing wrong about it. However, if there is an objection to doing that, an arrangement might be made by which the memorial services could be held Saturday night instead of during the day, so that we might have a continuous consideration of the revenue measure after we enter upon it on Friday until the end of the week.

Mr. President, the Finance Committee with respect to this measure has not pursued any different course from that which it has uniformly pursued with reference to tariff and revenue measures. There has been no concealment about the manner of our procedure and absolutely no secrecy about it.

When the tariff act of 1913 was prepared, the committee was divided into subcommittees, and those subcommittees were composed entirely of Democrats. The majority party was responsible for the legislation; it was regarded as a party measure, and the Democrats thought they had a right to frame it. We did so; and, in doing that, we were simply following the unbroken precedent, so far as I know, that had been set us by the Republican Party.

I have been a member of the Finance Committee for quite a while and was a member under both the chairmanship of Senator Aldrich and the chairmanship of the Senator from Pennsylvania. The tariff bill of 1909, the Payne-Aldrich bill, was framed by the then majority, just as the tariff bill of 1913 and all other revenue bills which have been passed since then have been framed by the majority.

The Senator complains that he did not have an opportunity to attend the sessions of the committee or to see the bill until it was presented to him for a vote on yesterday. Neither did I, Mr. President, in 1909, as a member of the Finance Committee, have an opportunity to see the Payne-Aldrich bill until the Democrats were called in at the final meeting of that committee, when the bill was laid down on the table, and we were told to take it or reject it. We have simply followed that policy.

Now, Mr. President, with reference to the hearings, they were exactly like the hearings held in 1913 and exactly like the hearings held on other revenue bills. They were open hearings before a subcommittee of the majority membership. Anybody who desired to be heard was given a hearing. I took extraordinary precautions this year to see that there should be no ground of complaint.

Mr. GALLINGER. Mr. President, will the Senator permit me to interrupt him?

Mr. SIMMONS. Yes.

Mr. GALLINGER. Can the Senator give any valid reason why the minority were not notified of the meeting of the Finance Committee? I never received any notice.

Mr. SIMMONS. There was no meeting of the full Finance Committee until yesterday.

Mr. GALLINGER. The only information that came to me was—

Mr. SIMMONS. There was a meeting of the majority members of the Finance Committee for the purpose of framing the bill, and we did frame it in accordance with the unbroken custom of both parties. I do not care to enter into any controversy about that. We do not make any concealments about it. If there is anything wrong about it, we take the responsibility for it.

Mr. GALLINGER. If the Senator will permit me to make a very brief statement—and it will be only a few words—I wish to state that the only information I ever had that the bill was under consideration by the Finance Committee, or any part of that committee, was a newspaper item to the effect that the bill had been referred to three members of the majority. That is

all I knew about it. I did not know officially as a member of the committee that it was being considered in any way.

Mr. SIMMONS. I will state that upon the bill coming over from the House I proceeded, as chairman, almost at once to appoint subcommittees from the majority membership. I announced in the newspapers, the press of the country, and announced to Senators who spoke to me about it before the publication was made in the newspapers, that these subcommittees had been appointed; that hearings would be given on a certain day and at a certain hour of the day before these two subcommittees; that anybody desiring to be heard would be given an opportunity to make his statement; and that if he had any briefs in addition to his statement which he wished to file, both the statement and the briefs would be printed. That notice went out to the country; it was put in the press dispatches and published in the local newspapers. I do not think there is any doubt about Senators knowing that these hearings were going on.

Mr. PENROSE. Mr. President, does the Senator contend for one moment that the minority members of the Finance Committee must rely upon press dispatches to learn when hearings are to take place before a subcommittee of that great standing committee of the Senate?

Mr. SIMMONS. I said to the Senator that we had pursued the same course that has always been pursued with reference to such matters. Up to the time the bill is reported to the full committee the majority members of the Finance Committee from time immemorial under all parties have framed the bill.

Mr. PENROSE. Mr. President, the Senator states that the minority had notice. I again repeat that we had no notice.

Mr. SIMMONS. I did not say that the minority had special notice. I stated that the country and the Senate had notice—both the minority and the majority—so far as the publications in the papers could give notice.

Mr. PENROSE. Well, Mr. President, I have not arrived at the state where I get my information regarding the proceedings of the Senate or the Finance Committee from the newspapers.

Mr. SIMMONS. Mr. President, all I desire is to have the facts before the Senate. We pursued the regular course and the precedents set us by the Senator's party. If we are wrong, they were wrong. I do not say that they were wrong. I think that both were right. I think the course that we pursued is proper, and I have no apologies to make for it. The majority members of the committee have no apologies to make for it.

Mr. PENROSE. Mr. President, I challenge the Senator to cite an occasion when the Republican Party upon the Sabbath Day, or any other day, held a secret caucus upon a revenue measure.

Mr. SIMMONS. I am not going to enter into a discussion with the Senator from Pennsylvania as to the morality of the Democratic caucus meeting on Sunday. If I wanted to get lessons in morality, I certainly would not go to the Senator from Pennsylvania.

Mr. PENROSE. No, Mr. President; the conservation of Democratic morality would be too great a task for me.

Mr. SIMMONS. Well, Mr. President, that is a by-matter that I am not going to take the time of the Senate in discussing. I had understood, from the conferences that I had with Senators on that side yesterday and to-day, that there would be no disposition on the part of the minority to delay the taking up of this bill or to delay action upon it unnecessarily after it is taken up for consideration. I wish to ask the minority whether it would be satisfactory to them to take up this bill on Friday?

Mr. GALLINGER. Mr. President, the Senator can rest content that there will be no disposition on this side, certainly not any so far as I know, to obstruct the consideration of this bill at the proper time; but I want to fortify what the Senator from Pennsylvania has said, that the bill has only been reported this morning. The minority concede that the bill should have prompt consideration, but we surely ought to have access to the hearings in order to aid in the preparation of a minority report.

Mr. SIMMONS. If the Senator will pardon me, I think probably most of the hearings are printed now. If they are not, they will be put on the desks of Senators at some time during the day.

Mr. GALLINGER. I want to suggest to my friend the Senator from North Carolina that I think if we get to this bill by Friday morning—there are other important matters before the Senate to engage our attention until then—the Senator ought to be content; and I feel sure there will be no objection to that on this side of the Chamber.

Mr. SIMMONS. Do I understand the Senator to say Friday morning?

Mr. GALLINGER. Friday morning.

Mr. SIMMONS. Well, that is the time I suggested.

Mr. GALLINGER. The Senator first suggested Thursday.

Mr. SIMMONS. In my first inquiry I suggested Friday, and then on account of the eulogies on Saturday I suggested Thursday.

Mr. GALLINGER. I did not understand the Senator to say that. If it is agreeable to the Senator to make it Friday morning, I feel sure there will be no objection on this side.

Now, Mr. President, I want to say just a word about having the eulogies on Sunday. I once proposed that, thinking it would be a good change; but I recall that the late Senator from Georgia [Mr. Bacon] made a very vigorous speech in opposition to it, and that he apparently had the sentiment of the Senate with him, and it was immediately abandoned. Now, I am not going to say that that may not be a good thing to do, and yet I think we ought to give it careful consideration before we make the change.

So far as the revenue bill is concerned, while those of us on this side who have given it some thought, and especially those of us who are members of the Finance Committee, deprecate the structure of the bill, thinking that better means should have been devised to raise the needed revenue for the Government, yet we know that the bill has gone through the Democratic caucus, and aside from one provision in it, as we understand, the Democratic Senators have been unanimous in support of it; and as a result we have no doubt that it will pass substantially as it has been reported.

I have been told, not confidentially, that the provision relating to the reduction in the tax on what is now known as oleo-margarine and which hereafter is to be known as margarine was not agreed to in caucus to the extent that it bound the members of the majority. I am very glad to know that, because it is a very serious matter, so far as the interests of New England are concerned, as well as other sections of the country. I am glad that we are to have a chance to debate that proposition openly without having it foreclosed by caucus action. I feel confident that when that provision of the bill is debated and the facts presented to the Senate we will have votes enough on this side, aided by votes from the other side, to defeat that proposition; but I have little hope that we will be able to amend the bill in any other particular.

Mr. SIMMONS. Mr. President, I have just been informed by my clerk that the hearings will be ready to be placed upon the desks of Senators by 1 o'clock; that they were delayed by the failure of the dairymen to send in certain representations and briefs that they desired to submit.

Mr. GALLINGER. I am very much gratified to learn that fact.

The VICE PRESIDENT. The bill will be placed on the calendar.

Mr. NEWLANDS. Mr. President, I wish to inquire whether any arrangement has been made for taking up the revenue bill?

Mr. CHILTON. On Friday.

Mr. SIMMONS. I gave notice that I should seek to bring that bill before the Senate on Friday. Of course, nothing can be done until that time.

Mr. NEWLANDS. I wish to state in that connection, Mr. President, that the Committee on Interstate Commerce has made a report of certain legislation, following the recommendations of the President, regarding the late threatened railroad strike. Those measures, two in number, one increasing the Interstate Commerce Commission with a view to enabling it to discharge its statutory duties, and the other—

Mr. LA FOLLETTE. Mr. President—

The VICE PRESIDENT. Does the Senator from Nevada yield to the Senator from Wisconsin?

Mr. NEWLANDS. I do.

Mr. LA FOLLETTE. Under what rule is this debate proceeding?

The VICE PRESIDENT. Under the rule of common comity. Mr. LA FOLLETTE. I ask for the regular order.

The VICE PRESIDENT. The Senator from Nevada is out of order. Further reports of committees are in order.

RIVER AND HARBOR APPROPRIATIONS.

Mr. KENYON. I submit the views of the minority (Rept. No. 1020, part 2) on the bill (H. R. 20079) making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes. I present it on behalf of five members of the Committee on Commerce, and ask that it may be printed.

I also present an amendment in the form of a substitute for that bill, which I ask may be printed and lie on the table and also that it be printed in the Record.

There being no objection, the views of the minority and the proposed substitute were ordered to be printed and lie on the table and to be printed in the RECORD, as follows:

VIEW OF THE MINORITY.

Certain members of the Commerce Committee, unable to agree with the majority of the committee, submit a brief minority report.

There is no desire on the part of the minority to stop or impede the construction of those river and harbor improvements of benefit to the people of the Nation. A system has grown up in river and harbor appropriations resulting in waste and extravagance inexcusable, and in which national seems secondary to local importance.

The minority believe the present system of river and harbor appropriations should be changed; that a commission along the line of other commissions now rendering effective service in governmental matters should be created to have general charge of the construction and repair of waterway improvements and questions relating thereto and the full utilization of our water resources.

At a time when a search is being made for additional means of taxation of the people, and where a bond issue is proposed to be resorted to in order to meet an enormous deficit in the Treasury for the ensuing year, it certainly is no time to indulge in such waste and extravagance as the present river and harbor bill now reported to the Senate.

The minority therefore will propose, during consideration thereof, a substitute for said bill, said substitute to provide a lump sum of \$25,000,000, to be expended by the Army engineers upon such projects already approved by Congress as the Secretary of War shall deem advisable, and also authorizing expenditures, under direction of the Secretary of War, upon certain improvements not as yet approved by Congress but which are of pressing naval and commercial importance, such as some of the projects of New York Harbor, East River, Boston Harbor, Norfolk Harbor and channels, Charleston Harbor, Savannah Harbor, Mobile Harbor, and San Juan Harbor at Porto Rico. Said substitute will also contain a provision for a waterway commission, as hereinbefore referred to.

The minority believe that this plan will not cripple any legitimate waterway improvement; that it will enable the carrying on of new projects necessary for naval and commercial exigencies; and will save approximately \$15,000,000.

Respectfully submitted,

WM. S. KENYON.
W. L. JONES.
L. Y. SHERMAN.
W. G. HARDING.
JAMES E. WATSON.

Amendment intended to be proposed by Mr. KENYON to the bill (H. R. 20079) making appropriations for the construction, repair, and preservation of certain public work on rivers and harbors, and for other purposes, viz: Strike out all after the enacting clause and insert:

"That there is hereby appropriated, out of any money in the United States Treasury, for the maintenance and improvement of rivers and harbors, \$25,000,000, to be expended by the Secretary of War in such way as he may deem best upon such projects as have been approved by Congress, and also those projects set forth in section 2 hereof.

"Sec. 2. That the Secretary of War is specifically authorized to expend a portion of said \$25,000,000 upon the following improvements recommended by the Board of Army Engineers and not as yet approved by Congress:

"(a) Narrows of Lake Champlain, N. Y. and Vt.: For improvement in accordance with the report submitted in House Document No. 1387, Sixty-second Congress, third session.

"(b) Boston Harbor, Mass.: For improvement in accordance with report submitted in House Document No. 931, Sixty-third Congress, second session.

"(c) New York Harbor, N. Y.: For improvement in accordance with report submitted in House Document No. 518, Sixty-third Congress, second session.

"(d) For completing improvement at Craven Shoal, New York Harbor, N. Y., in accordance with report submitted in House Document No. 557, Sixty-fourth Congress, first session.

"(e) Hudson River Channel, New York Harbor, N. Y.: For improvement in accordance with the report submitted in House Document No. 1697, Sixty-fourth Congress, second session.

"(f) East River, N. Y.: For continuing improvement in accordance with report submitted in House Document No. 188, Sixty-third Congress, first session: *Provided*, That the Secretary of War may enter into a contract or contracts for such materials and work as may be necessary to prosecute said project, to be paid for as appropriations may from time to time be made by law, not to exceed in the aggregate \$6,500,000, exclusive of the amounts herein and heretofore appropriated: *And provided further*, That so much as may be necessary of this and any other appropriations made for specific portions of New York Harbor and its immediate tributaries may be allotted by the Secretary of War for the maintenance of these waterways by the collection and removal of drift.

"(g) Norfolk Harbor and channels, Va.: For improvement, including channel of Norfolk, in accordance with report submitted in House Document No. 605, Sixty-third Congress, second session.

"(h) Charleston Harbor and channels, S. C.: For improvement in accordance with report submitted in House Document No. 288, Sixty-second Congress, second session, subject to conditions set forth in said document.

"(i) Savannah Harbor and channels, Ga.: For improvement in accordance with report submitted in House Document No. 1471, Sixty-fourth Congress, second session, and subject to the conditions set forth in said document: *Provided*, That no expense shall be incurred to the United States for any lands acquired for the purpose of this improvement.

"(j) Mobile Harbor and Bar, Ala.: For improvement in accordance with report submitted in House Document No. 1763, Sixty-fourth Congress, second session.

"(k) San Juan Harbor, P. R.: For improvement and cooperation with the local government in accordance with report submitted in House Document No. 865, Sixty-third Congress, second session.

"Sec. 3. That not more than \$100,000 of said appropriation shall be expended in the following surveys or such of them as the Secretary of War may deem advisable in the public interest, namely:

"Harbor at Corea, Me.

"Providence Harbor, R. I.

"Pawtucket River, R. I., with a view to increasing the width of channel through the ledge near Pawtucket.

"Sterling Basin, at Greenport, N. Y., with a view to securing adequate width and depth.

"Inland water route along the southern shore of Long Island, N. Y., from Jamaica Bay to Peconic Bay, with a view to providing a channel of adequate width and depth.

"Flushing Bay, N. Y.

"The Kill Van Kull from Shooters Island West to junction of channels, with a view to dredging shoals between channels, to provide anchorage grounds.

"Bay Ridge Channel, New York Harbor, N. Y.

"Harlem River, N. Y.

"New York Harbor: West side of upper bay from Constable Hook to Ellis Island.

"Gardiners Island, N. Y., with a view to the construction of a break-water.

"Youghiogheny River, Md. and Pa.: Kiskiminitas River and Clarion River, Pa., with a view to devising plans for flood protection and determining the extent to which the United States should cooperate with the States and other communities and interests in carrying out such plans, its share being based upon the value to navigation.

"Harbor at Poplar Island, Md.

"Elizabeth River, Va., including eastern, western, and southern branches, and approaches thereto.

"Trent River, N. C., with a view to deepening the channel along that portion of the river known as Foy's Flats.

"Harbor of Silver Lake, Ocracoke Island, and entrance thereto from Pamlico Sound, N. C.

"Little River, N. C. and S. C.

"Charleston Harbor and Cooper River, S. C., from the entrance to Sanders Creek, including Town Creek channel.

"Ashley River, S. C., from the Standard Wharf to the Virginia-Carolina Chemical Co. to Lambs, with a view of improving the channel to a depth of not less than 8 feet.

"For the construction of a navigable waterway, of suitable depth and width to answer the needs of commerce, connecting the waters of the Flint and Ocmulgee Rivers in the State of Georgia.

"Savannah River at and near Augusta, Ga., for the purpose of determining what additional improvement is necessary, if any, in the interest of navigation and of flood protection; also the consideration of any proposition for cooperation on the part of local or State interests.

"Canaveral Harbor, Fla.

"Little Sarasota Bay, Fla., from Sarasota Bay to Venice.

"Miami Harbor (Biscayne Bay), Fla.

"Withlacoochee River, Fla., between Dunnellon and Lake Panasoffkee.

"Lake Worth Inlet, Palm Beach County, Fla.

"Charlotte Harbor, Fla., with a view to securing a channel of increased depth from the Gulf of Mexico to the town of Boca Grande.

"Bradley River, Manatee County, Fla.

"Hillsboro River, Fla., from Michigan Avenue to Lafayette Street Bridge, Tampa.

"Back Bay of Biloxi, Miss., with a view to removing shoals at Cranes Neck and Biloxi Mud Flats and securing a depth of 12 feet.

"Bayou Tigre, La.

"Bayou Dorchet, La., through Lake Bistaneau and Loggy Bayou.

"Bayou Terrebonne, La., between Houma and Thibodaux.

"Bayou Chene, La.

"Intracoastal waterway from Calcasieu River, La., to Sabine River, Tex. and La., with a view to securing such width and depth as will meet the demands of commerce.

"Calcasieu River from the Gulf of Mexico to the city of Lake Charles, La., with a view to providing greater depth of water.

"Old River, Chambers County, Tex.

"Galveston Bay at Smiths Point, Tex.

"Waterway in Texas from the jetties at Sabine Pass through the Port Arthur Ship Channel to Port Arthur and through the Sabine-Neches Canal to the mouths of the Neches and Sabine Rivers, and thence up said rivers to Beaumont and Orange, respectively, and also through Taylors Bayou from the Government turning basin to the Southern Pacific Railway bridge, with a view to deepening and widening such waterways, making necessary cut-offs, and otherwise improving same for navigation and commerce.

"Black River, Ark. and Mo.

"The Secretary of War is hereby authorized and directed to appoint a board of engineers to make a survey of Galveston Island and Galveston Channel, Tex., east of the causeway, and to prepare plans and estimates for their protection against storms and erosions, including the protection of the instrumentalities and aids to commerce located there.

"Tennessee River, Tenn., with a view to locating one low dam at mouth of Whites Creek and one low dam at the mouth of the Clinch River.

"Little Tennessee River, Tenn.

"Black River at Lorain, Ohio.

"New Buffalo Harbor, Mich.

"Pewaukee Harbor, Mich.

"Kenosha Harbor, Wis.

"Bar in Lake Michigan in front of the United States Naval Training Station, Great Lakes, Ill., with a view to dredging said bar so as to permit lake vessels to land at said station.

"The Secretary of War is authorized to make such preliminary examinations as can be made from available data without making field surveys, touching the creation of conditions in or paralleling the St. Lawrence River from Lake Ontario to the Canadian border, suitable in all respects for navigation by ocean-going ships, including such approximate estimate of cost of improvement as can be predicated on such available data, and an approximation of the amount of power, if any, that would be incident thereto.

"Missouri River between Yankton and Vermilion, S. Dak.

"Los Angeles Harbor, Cal., with a view to dredging a channel of adequate width and depth in the West Basin.

"Harbor at Newport, Cal.

"Sacramento River, Cal., from the city of Sacramento to the city of Colusa, with a view to providing a channel 6 feet in depth.

"Haydens Slough, Columbia River, near Portland, Oreg., with a view to the relocation of the dike near upper end.

"Columbia River, from Brookfield, Wash., to the mouth, with a view to securing a channel depth of at least 30 feet.

"Main ship channel in or near the mouth of the Columbia River on the southerly or Oregon side from a point in the vicinity of Point Adams along channel to or a short distance above Tongue Point, and of Youngs Bay from the Columbia River Channel to a point 1 mile above the county bridge, so as to give a depth of 40 feet at low tide.

"The Secretary of War is directed to make a survey and submit a report to Congress upon the advisability of securing a channel in the Columbia River from the mouth of the Willamette River to the eastern limits of the city of Vancouver, Wash., equal in width and depth to the project channel from the mouth of the Willamette to the city of Portland, Oreg., and what cooperation, if any, should be given.

"Tillamook Bay and River and Hoquarten Slough, Oreg., with a view to securing the most feasible channel from the entrance to the city of Tillamook.

"Black River and Renton Harbor, Wash.

"Mouth of the Cowlitz River, Wash., for the purpose of determining the advisability of the construction of a jetty, or other means, for deepening the channel at the mouth of the river.

"Controller Bay, Alaska.

"*Provided*, That the Government shall not be deemed to have entered upon any project for the improvement of any waterway or harbor mentioned in this act or approved the same until funds for the commencement of the proposed work shall have been actually appropriated by law.

"*Sec. 4.* That a commission, to be known as the waterways commission, consisting of seven members, shall be appointed by the President of the United States, by and with the advice and consent of the Senate. Three of these members shall be appointed from the active or retired list of the Engineer Corps of the Army, or other governmental services, and four from civil life, not more than two of whom shall be engineers. This commission is authorized and directed to secure the necessary data and to formulate and report to Congress, as early as practicable, a comprehensive plan or plans for the development of waterways and the development and utilization of water resources of the United States for the purposes of navigation, including the related questions of irrigation, drainage, forestry, arid and swamp land reclamation, clarification of streams, regulation of flow, control of floods, utilization of water power, prevention of soil erosion and waste, storage and conservation of water for agricultural, industrial, municipal, and domestic uses, the cooperation of railways and waterways, the promotion of terminal and transfer facilities, and the cooperation of public and private agencies in the development of these resources, and to submit from time to time recommendations for the modification or discontinuance of any project herein, heretofore, or hereafter adopted, and to recommend to Congress such plan or system it may deem necessary to bring into effective coordination and cooperation the engineering, scientific, and constructive services, bureaus, boards, and commissions of the several governmental departments of the United States and commissions created by Congress that relate to the study, development, or control of waterways and water resources and subjects related thereto, or to the development and regulation of interstate and foreign commerce, with a view to uniting such services in investigating the matters to be considered and reported upon by said commission.

"Any member of said commission appointed from the retired list of the Engineer Corps of the Army shall receive the same pay as he would if on the active list, and all members selected from civil life or civil governmental service shall receive \$7,500 per annum.

"In all matters done or to be done under this act relating to any of the subjects, investigations, or questions to be considered hereunder, and in formulating plans and in the preparation of a report or reports, as herein provided, consideration shall be given to all matters which are to be undertaken, either independently by the United States or by cooperation between the United States and the several States, political subdivisions thereof, municipalities, communities, corporations, and individuals within the jurisdiction, powers, and rights of each, respectively, and with a view to assigning to the United States such portion of such development, promotion, regulation, and control as may be undertaken by the United States, and to the States, political subdivisions thereof, municipalities, communities, corporations, and individuals such portion as belongs to their respective jurisdictions, rights, and interests.

"The heads of the several departments of the Government may upon their own initiative, and shall upon the request of said commission, detail representatives from their respective departments to assist the commission in making the examinations which it is authorized to make, to the end that duplication of work may be avoided and the various services of the Government economically conducted; and each department of the Government is authorized and directed to place at its disposal of said commission, upon its request therefor, any data, reports, documents, or information that it may have relating to any of the matters to be considered by said commission.

"The commission is authorized to employ or retain and fix the compensation for the services of such engineers, transportation experts, experts in water development and utilization, and constructors of eminence as it may deem necessary to make such investigations and to carry out the purposes of this section within the limits of the appropriations made by Congress from time to time. And in order to defray the expenses made necessary by the provisions of this section there is hereby authorized to be appropriated such sums as Congress may hereafter determine; and the sum of \$100,000 is hereby appropriated, available until expended, to be paid out upon the warrants drawn on the Secretary of the Treasury by the chairman of said commission: *Provided*, That any governmental employee transferred or detailed to service under said commission shall continue at his regular salary unless promoted in due course.

"The commission shall have power to make every expenditure requisite for and incident to its authorized work and to employ in the District of Columbia and in the field such clerical, legal, engineering, artistic, and expert services as it may deem advisable, including the payment of per diem, not exceeding \$4 per day, in lieu of subsistence for employees engaged in field work or traveling on official business, rent of offices in the District of Columbia and in the field, and the purchase of books, maps, and office equipment, such employees to be selected under the civil-service laws, rules, and regulations and to be a part of the classified service.

"Nothing herein contained shall be construed to delay, prevent, or interfere with the completion of any survey, investigation, project, or work heretofore adopted or authorized upon or for the improvement of any of the rivers and harbors of the United States by this act."

BRIDGE BILLS.

Mr. SHEPPARD. From the Committee on Commerce I report back favorably without amendment the bill (H. R. 18529) granting the consent of Congress to the police jury of Rapides Parish, La., to construct a bridge across Red River at or near Boyce,

La., and I submit a report (No. 1051) thereon. I ask unanimous consent for the present consideration of the bill.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

Mr. SHEPPARD. From the Committee on Commerce I report back favorably without amendment the bill (H. R. 14074) granting the consent of Congress to the village of Fox Lake, in the county of Lake, State of Illinois, to construct a bridge across both arms of the Fox River where it connects Pistakee Lake and Nippersink Lake, at a point suitable to the interests of navigation, in the county of Lake, State of Illinois, and I submit a report (No. 1048) thereon. I ask unanimous consent for the present consideration of the bill.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

Mr. SHEPPARD. From the Committee on Commerce I report back favorably without amendment the bill (H. R. 17602) granting the consent of Congress to the county commissioners of Polk County, Minn., and Grand Forks County, N. Dak., to construct a bridge across Red River of the North on the boundary line between said States, and I submit a report (No. 1049) thereon. I ask unanimous consent for the present consideration of the bill.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

Mr. SHEPPARD. From the Committee on Commerce I report back favorably without amendment the bill (H. R. 17710) authorizing the construction of a bridge across the Tallapoosa River, separating the counties of Montgomery and Elmore, in the State of Alabama, at a point somewhere between Judkin Ferry and Hughes Ferry, and I submit a report (No. 1050) thereon. I ask unanimous consent for the present consideration of the bill.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

Mr. TOWNSEND. Mr. President, may I ask the Senator from Texas if these bills contain the usual provision for alteration and amendment on the part of Congress if conditions should so require?

Mr. SHEPPARD. Each of the bills contains that provision.

ADDRESS BY FRANKLIN W. HOBBS (S. DOC. NO. 709).

Mr. CHILTON, from the Committee on Printing, reported the following resolution, which was considered by unanimous consent and agreed to:

Senate resolution 358.

Resolved, That the pamphlet submitted by the Senator from New Hampshire [Mr. GALLINGER] on February 1, 1917, entitled "Textiles—The Backbone of New England," an address by Franklin W. Hobbs, be printed as a Senate document.

PROHIBITION ON FEDERAL JUDGES (S. DOC. NO. 708).

Mr. CHILTON, from the Committee on Printing, reported the following resolution, which was considered by unanimous consent and agreed to:

Senate resolution 359.

Resolved, That the pamphlet submitted by the Senator from Utah [Mr. SUTHERLAND] on February 6, 1917, entitled "Power of the Supreme Court to Declare Acts of Congress Unconstitutional," an address before the Legislature of Oklahoma in joint session, January 23, 1917, by Hon. C. B. Stuart, of Oklahoma City, Okla., be printed as a Senate document.

DAUGHTERS OF THE AMERICAN REVOLUTION (S. DOC. NO. 710).

Mr. CHILTON, from the Committee on Printing, reported the following resolution, which was considered by unanimous consent and agreed to:

Senate resolution 360.

Resolved, That the report of the National Society of the Daughters of the American Revolution for the year ended October 11, 1916, transmitted to Congress pursuant to law by the Secretary of the Smithsonian Institution, be printed as a Senate document, with illustrations.

REPORT OF NATIONAL ACADEMY OF SCIENCES (S. DOC. NO. 707).

Mr. CHILTON, from the Committee on Printing, reported the following resolution, which was considered by unanimous consent and agreed to:

Senate resolution 361.

Resolved, That the report of the National Academy of Sciences for the year ended December 31, 1916, be printed as a Senate document.

GRAND ARMY OF THE REPUBLIC.

Mr. CHILTON, from the Committee on Printing, to which was referred House concurrent resolution 65, to print as a House document 1,500 copies of the Journal of the Fifty-first National Encampment of the Grand Army of the Republic for the year 1917, reported it without amendment, and it was considered by unanimous consent and agreed to, as follows:

Resolved by the House of Representatives (the Senate concurring), That there shall be printed as a House document 1,500 copies of the Journal of the Fifty-first National Encampment of the Grand Army of the Republic for the year 1917, not to exceed \$1,700 in cost, with illustrations, 1,000 copies of which shall be for the use of the House and 500 for the use of the Senate.

DIGEST OF CONTESTED-ELECTION CASES.

Mr. CHILTON, From the Committee on Printing, I report back favorably with amendments House concurrent resolution 70, to print for the use of the House of Representatives 5,000 copies of the Hon. MERRILL MOORES'S Digest of Contested-Election Cases in the House of Representatives, and so forth, and I ask unanimous consent for its present consideration.

The VICE PRESIDENT. Is there objection to the present consideration of the concurrent resolution?

There being no objection, the Senate proceeded to consider the concurrent resolution.

The amendments of the Committee on Printing were, in line 3, after the word "buckram," to strike out "for the use of the House of Representatives," and, in line 9, after the word "expenditures," to insert "of which 1,000 copies shall be for the use of the Senate and 4,000 copies for the use of the House of Representatives."

The amendments were agreed to.

The concurrent resolution as amended was agreed to, as follows:

Resolved by the House of Representatives (the Senate concurring), That there be printed 5,000 copies, bound in buckram, of the manuscript prepared by Hon. MERRILL MOORES, being a digest of contested-election cases in the House of Representatives from 1901 to 1917, together with laws relating to contested elections in the House of Representatives and campaign contributions and expenditures, of which 1,000 copies shall be for the use of the Senate and 4,000 copies for the use of the House of Representatives.

HEARINGS BEFORE COMMITTEE ON PUBLIC BUILDINGS AND GROUNDS.

Mr. LEA of Tennessee, from the Committee to Audit and Control the Contingent Expenses of the Senate, to which was referred Senate resolution 319, submitted by Mr. SWANSON on the 15th ultimo, reported it favorably without amendment, and it was considered by unanimous consent and agreed to, as follows:

Resolved, That the Committee on Public Buildings and Grounds, or any subcommittee thereof, be, and hereby is, authorized, during the Sixty-fourth Congress, to employ a stenographer, at a cost not exceeding \$1 per printed page, to report such hearings as may be had in connection with any subject which may be pending before said committee, the expenses thereof to be paid out of the contingent fund of the Senate, and that the committee, or any subcommittee thereof, may sit during the sessions or recess of the Senate.

HEARINGS BEFORE COMMITTEE ON PATENTS.

Mr. LEA of Tennessee, from the Committee to Audit and Control the Contingent Expenses of the Senate, to which was referred Senate resolution 356, submitted by Mr. JAMES on the 12th instant, reported it favorably without amendment, and it was considered by unanimous consent and agreed to, as follows:

Resolved, That the Committee on Patents, or any subcommittee thereof, be, and hereby is, authorized, during the Sixty-fourth Congress, to send for persons, books, and papers; to administer oaths; and to employ a stenographer, at a cost not exceeding \$1 per printed page, to report such hearings as may be had in connection with any subject which may be pending before said committee, the expenses thereof to be paid out of the contingent fund of the Senate, and that the committee, or any subcommittee thereof, may sit during the sessions or recess of the Senate.

BILLS AND JOINT RESOLUTION INTRODUCED.

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. SIMMONS:

A bill (S. 8237) granting an increase of pension to Juliana Sams (with accompanying papers); to the Committee on Pensions.

By Mr. JOHNSON of Maine:

A bill (S. 8238) authorizing the Secretary of War to donate one cannon, with its carriage and cannon balls, to the town of Orono, Me.; to the Committee on Military Affairs.

By Mr. LANE:

A bill (S. 8239) granting an increase of pension to Samuel Gray (with accompanying papers); to the Committee on Pensions.

By Mr. OWEN:

A bill (S. 8240) granting an increase of pension to Jeremiah Shine (with accompanying papers); and

A bill (S. 8241) granting an increase of pension to William Watson (with accompanying papers); to the Committee on Pensions.

By Mr. LANE:

A bill (S. 8242) for the protection, regulation, and conservation of the fisheries of Alaska, and for other purposes; to the Committee on Fisheries.

By Mr. KERN:

A bill (S. 8243) to amend an act concerning State or Territorial Soldiers' Homes, pensions of inmates (collections), being the act of March 4, 1911 (25 Stats. L., 450); to the Committee on Pensions.

By Mr. NELSON:

A bill (S. 8244) granting a pension to Caroline Fust; to the Committee on Pensions.

By Mr. BRANDEGEE:

A bill (S. 8245) to regulate promotion in the Regular Army of the United States; to the Committee on Military Affairs.

By Mr. THOMPSON:

A joint resolution (S. J. Res. 212) authorizing the Postmaster General to provide the postmaster at Wichita, Kans., with a special canceling die for the fall carnival and exposition of that city; to the Committee on Post Offices and Post Roads.

USE OF HARBORS IN TIME OF WAR.

Mr. SAULSBURY. I introduce a bill, and ask that it be read and referred to the Committee on Foreign Relations.

The bill (S. 8236), to discourage the violation of international law upon the high seas, was read the first time by its title and the second time at length, as follows:

Be it enacted, etc., That whenever a state of war exists between two or more nations with whom the United States are at peace, and one or more of the belligerents shall, upon the high seas, enter upon, engage in, or permit a course of warfare or use a method not justified or warranted by the laws of war as generally accepted or as construed by this Government, the ports, harbors, and waters of the United States may, as freely as in time of universal peace, be resorted to, used, and frequented by the warships or other vessels of any other belligerent, however armed, for the possible purpose of capturing, destroying, resisting, or escaping from any vessel of the belligerent or belligerents engaged in such unwarranted course of warfare, or using such illegal methods: *Provided*, That before the ports, harbors, and waters of the United States may be so resorted to, used, and frequented, the President shall by proclamation declare that proper occasion has arisen therefor under the terms of this act.

The VICE PRESIDENT. The bill will be referred to the Committee on Foreign Relations.

Mr. OVERMAN. Mr. President, the bill probably ought to go to the Committee on the Judiciary.

The VICE PRESIDENT. The bill has to do entirely with foreign relations, and will be so referred.

UNIVERSAL MILITARY TRAINING.

Mr. BORAH submitted an amendment intended to be proposed by him to the bill (S. 1695) to provide for the military and naval training of the citizen forces of the United States, which was ordered to lie on the table and be printed.

PUBLIC BUILDINGS.

Mr. CULBERSON submitted six amendments intended to be proposed by him to the public-building bill (H. R. 18994), which were referred to the Committee on Public Buildings and Grounds and ordered to be printed.

RIVER AND HARBOR APPROPRIATIONS (H. R. 20079).

Mr. JONES submitted an amendment intended to be proposed by him to the river and harbor appropriation bill, which was ordered to lie on the table and be printed.

Mr. OLIVER submitted an amendment intended to be proposed by him to the river and harbor appropriation bill, which was ordered to lie on the table and be printed.

WITHDRAWAL OF PAPERS—SAMUEL M. BRADSHAW.

On motion by Mr. OVERMAN, it was

Ordered, That the papers accompanying the bill (S. 1415, 64th Cong., 1st sess.) granting an increase of pension to Samuel M. Bradshaw be withdrawn from the files of the Senate, no adverse report having been made thereon.

WATER-POWER LEGISLATION.

Mr. SHAFROTH. I have here a document, being a protest from the John Doe Oil Co., of Arizona, relative to water-power legislation, which I desire to have printed as a public document. I ask that it be referred to the Committee on Printing.

The VICE PRESIDENT. That action will be taken.

PATENTS TO INDIANS IN WASHINGTON—CONFERENCE REPORT.
Mr. PITTMAN submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 8092), confirming patents heretofore issued to certain Indians in the State of Washington having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 1 and 2.

KEY PITTMAN,
MOSES E. CLAPP,
HARRY LANE,

Managers on the part of the Senate.

JOHN H. STEPHENS,
C. D. CARTER,

Managers on the part of the House.

Mr. JONES. Mr. President, I have not had an opportunity to examine this report. I should like to look at it for a second or two, to see just what it provides. I may not have any objection to it.

The VICE PRESIDENT. The conference report has been read, and there is an objection to its present consideration.

Mr. JONES subsequently said: Mr. President, I have no objection to the consideration of the conference report submitted a moment ago by the Senator from Nevada.

The VICE PRESIDENT. The question is on agreeing to the conference report.

The report was agreed to.

AGRICULTURAL APPROPRIATIONS.

The VICE PRESIDENT laid before the Senate the action of the House of Representatives disagreeing to the amendments of the Senate to the bill (H. R. 19359) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1918, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. SMITH of South Carolina. I move that the Senate insist upon its amendments, agree to the conference asked for by the House, the conferees on the part of the Senate to be appointed by the Chair.

The motion was agreed to; and the Vice President appointed Mr. SMITH of South Carolina, Mr. SMITH of Georgia, and Mr. WARREN conferees on the part of the Senate.

DISTRICT OF COLUMBIA APPROPRIATIONS.

The VICE PRESIDENT laid before the Senate the action of the House of Representatives agreeing to the amendment of the Senate No. 13 to the bill (H. R. 19119) making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1918, and for other purposes, with an amendment; agreeing to the amendment of the Senate No. 98, with an amendment; disagreeing to the remainder of the amendments of the Senate to the bill, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. SMITH of Maryland. I move that the Senate disagree to the amendments of the House to the amendments of the Senate, insist upon its amendments to the bill, and agree to the conference asked for by the House; the conferees on the part of the Senate to be appointed by the Chair.

The motion was agreed to, and the Vice President appointed Mr. SMITH of Maryland, Mr. ROBINSON, and Mr. GALLINGER conferees on the part of the Senate.

HOUSE BILLS REFERRED.

The following bills were severally read twice by their titles and referred to the Committee on Claims:

H. R. 2743. An act for the relief of the widow of Joseph C. Akin;

H. R. 3253. An act for the relief of Hudson Bros., of Norfolk, Va.;

H. R. 4626. An act to reimburse the Farmers' Savings Bank, of Brandon, Iowa, for currency destroyed by fire;

H. R. 5091. An act for the relief of Preston B. C. Lucas;

H. R. 10860. An act to authorize the payment of certain amounts for damages sustained by prairie fire on the Rosebud Indian Reservation in South Dakota;

H. R. 10872. An act making an appropriation to Stuart, Lewis, Gordon & Rutherford, in payment of legal services rendered by them to the Creek Nation;

H. R. 13354. An act to compensate Thomas G. Allen for injuries received while employed in the General Land Office of the United States, and making an appropriation therefor;

H. R. 14679. An act for the relief of Jacob B. Moore;
H. R. 14695. An act for the relief of Mrs. H. O'Neill;
H. R. 14754. An act for the relief of Charles M. Way; and
H. R. 16116. An act for the relief of Adelaide L. Gibbs, widow of Robert M. Gibbs.

The following bills were severally read twice by their titles and referred to the Committee on Post Offices and Post Roads:

H. R. 9335. An act for the relief of Mrs. W. E. Crawford;
H. R. 13754. An act for the relief of Charles A. Carey; and

H. R. 14345. An act to reimburse J. B. Patterson, postmaster of Lacon, Morgan County, Ala., for certain postage stamps stolen.

The following bills were severally read twice by their titles and referred to the Committee on Military Affairs:

H. R. 1764. An act for the relief of John Minahan, alias John Bagley;

H. R. 2212. An act for the relief of George F. Reid;
H. R. 5182. An act requiring the Secretary of War to issue an honorable discharge to Benjamin R. Buffington;

H. R. 5690. An act for the relief of Alfred Rebsamen;
H. R. 5948. An act for the relief of Hays Gaskill;

H. R. 10255. An act for the relief of David Kirch;
H. R. 15233. An act for the relief of William A. Persons; and

H. R. 15644. An act for the relief of James S. Risher.

POST OFFICE APPROPRIATIONS.

The VICE PRESIDENT. The morning business is closed.
Mr. BRYAN. I ask that the Senate resume the consideration of the Post Office appropriation bill.

The VICE PRESIDENT. Is there objection?

There being no objection, the Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 19410) making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1918, and for other purposes.

The VICE PRESIDENT. The pending question is the motion of the Senator from Florida [Mr. BRYAN] to suspend clause 3 of Rule XVI.

Mr. SMITH of South Carolina. Mr. President, I wish to give notice now that in case the motion to suspend the rules in reference to the rate on second-class mail matter is agreed to I shall offer to the paragraph which has just been stricken out on a point of order an amendment, on page 4, line 20, after the word "matter," to insert "except newspapers"; and, on page 5, line 6, to strike out all of the proviso after the word "newspapers," so that that proviso will read:

That nothing contained herein shall affect the free-in-county privilege on second-class matter or the present rate of postage on newspapers.

My object is to except newspapers from the operation of this rate of postage. I think the committee is fully agreed that the magazines and those publications which carry just a minimum of reading matter, the majority of which is not desirable, and a maximum of advertising matter, should bear their share of the loss entailed in carrying that class of matter.

I think that perhaps no question has been deliberated over and the equities involved gone into more than this question of the burden of postage and the losses entailed and the profits which are made. The \$88,000,000 loss in carrying second-class matter, the bulk of which is pure advertising, is a business proposition, pure and simple.

Mr. ROBINSON. What does the Senator say is the loss?

Mr. SMITH of South Carolina. Eighty-eight million dollars. It means that first-class matter, the ordinary letters, the rank and file of the people in their communication socially and in a business way, covering all the desires of the people to communicate with each other, must bear a rate approximating 35 cents a pound in order to make up the deficit that these gentlemen who flood the country with their advertisements may be enabled to carry their published matter without a loss themselves. But I do differentiate between them and the newspapers, which are a necessary evil. We have to depend upon them for the dissemination of news. We have learned in the past to discount the personal equation that the writers of newspapers inject; but I do think at this time they should be exempt perhaps from the operation of this tax, because I think they fall in the category of necessities, just like first-class matter.

If we do not at this time raise the tax on the proper second-class matter and put 1-cent postage on drop letters, as is now proposed in this bill, you will not hereafter raise the postage on the one or raise it on the other, and the Post Office Department will be face to face with an absolute loss in the prosecution of its business. I am not an advocate of the Post Office Department making money, but I am glad that there is a condition where by the use of sound judgment and fair dealing it

can be made to pay its way and give the people the proper service.

If the motion to suspend the rule prevails, as a member of the committee, acting on my own initiative, I shall make the motion to amend that I have referred to.

Mr. SMOOT. Mr. President, I wish to give notice that if the amendment relative to the rate of compensation providing that after July 1, 1917, drop letters shall be mailed at the rate of 1 cent per ounce or fraction thereof is defeated while the bill is in Committee of the Whole, I shall reserve the right to offer that amendment in the Senate; that is, I am not reserving the right to offer the amendment increasing the second-class postage rate, but I shall reserve the right to offer the amendment that drop letters shall be mailed at the rate of 1 cent per ounce or fraction thereof. At the time I offer the amendment I shall submit whatever remarks I wish to make.

Mr. HITCHCOCK. Mr. President, the notice given by the Senator from South Carolina does not, in my opinion, by any means remove the objection to this proposed amendment. It is, in any event, an attempt in the closing days of Congress to enact revolutionary legislation upon an appropriation bill. While it avoids revolution as far as the newspapers are concerned, it proposes the revolution as far as the magazines and the weekly publications of the country are concerned, without giving them an opportunity and without giving the country an opportunity to be heard upon it.

Mr. President, the 1-cent per pound rate of postage was established in 1885 after a considerable discussion and after a great deal of agitation. It was established by an overwhelming vote; the vote in the Senate was nearly 2 to 1; and it has been in uninterrupted effect throughout the country now for something like 32 years. Under it the whole publication business of the United States has been built up. To attempt to revolutionize this by an enormous change in the cost for transportation means to revolutionize the publication business.

Mr. VARDAMAN. Mr. President—

Mr. HITCHCOCK. I will not submit to an interruption just now, if the Senator will permit me. It means to revolutionize the publication business in the United States. When it was proposed in the Congress to reduce the second-rate postage on magazines, weeklies, and daily papers the claim was made that it would involve a loss. That was admitted. The country knew it was a loss. The country knew that it was proposed to carry these daily and weekly papers and these magazines at a loss, for it was accepted as a desirable thing to do because of the tremendous educational effect that would result to the country. The predictions then made, Mr. President, have proven true. Since that time the publication of newspapers, magazines, and other periodicals in the United States has constituted a great educational institution. It is as much an educational institution as our public schools. It has had a tremendous effect not only in spreading intelligence among the American people and making them the best advised and best informed and most intelligent people in the world but it has had a tremendous material effect upon the American people.

The daily paper now which goes upon the rural route to the farmer gives that farmer the market that he must appeal to within a few hours after the close of the day. I do not know how it is with farmers in the South and in other parts of the country, but I know that in the West and Northwest there are millions of farmers taking these daily papers upon the rural routes and depend upon them absolutely for their price quotations on live stock and on farm products at proper seasons of the year.

It has a tremendous effect also, in a material way, in bringing together the vendor and the purchaser, the manufacturer, and the consumer.

Mr. President, the newspapers can adjust themselves to these things, the magazines can adjust themselves to the change after the shock, but they will do it by increasing the price to the subscribers just as they reduced the price to the subscribers when the low rate of postage was put in. The average newspaper in the West, at least, goes out six days a week to all subscribers upon the rural routes, and there are millions of them. Heretofore it has been paying for that paper approximately a little more than 2 cents a pound, but not much more.

Now, we propose to charge that paper as much for the transportation of it as the paper costs the publisher. It is simply an outrage, in my opinion, and it is an outrage which ultimately is going to fall upon the newspaper subscribers.

Mr. President, this great interest which has been built up in this country, embracing some 1,200 daily papers or more, and approximately 15,000 weeklies, the large number of religious publications, the large number of trade publications, form a part of the very body of American civilization. It has entered

into our daily lives, and it is proposed in this eleventh-hour legislation upon an appropriation bill to uproot that whole system.

Do you think that the subscribers of these papers, who have been getting them at the low price for the last few years, are going to be content to see their subscription prices increased \$1 a year, as they probably will be if this is put in effect, and as they must be? The fact is well known to-day throughout the country that thousands of publications are in serious straits because the cost of print paper has been violently advanced 50, 60, or even 70 per cent. This year there are newspapers and magazines and weeklies and monthlies upon the ragged edge of bankruptcy because of the increased cost in the price of paper. Many of the wiser ones have already advanced their rates; others may be compelled to do so. For the others that are attempting to meet the situation; that are attempting still to bridge over the serious difficulties that confront them; that are still attempting to maintain the cheap \$4 a year rate, or \$3 a year rate, for the six-day paper, shall it be made impossible for them to do so by this violent increase in the price of postage without a hearing, without warning, simply because the president of some weekly publication has informed the Post Office Committee that he is willing to concede it?

Mr. President, this cheap newspaper postage does not involve the loss to the Government of the United States which has been stated here upon the floor of the Senate. I know that Senators who have stated it have the warrant of the so-called Hughes report made upon figures something like 10 years ago, but I have every reason to believe, and every newspaper man has reason to believe, that those estimates are reckless. Our whole bill for railroad transportation for mails of the United States is between fifty and sixty million dollars a year. All the post-office transportation for all classes of mail all over the United States is \$60,000,000 a year or less. There is very little actual expense incurred by the Post Office Department for the transportation of newspapers that does not consist of the payment to the railroads for the haul. You mail a letter here in Washington in a box on the street. A letter collector comes and empties that box, takes your letter to the post office, and there it goes through one or two hands and is distributed, is put in the mail, sent to the town, is taken out, and it is delivered by a carrier, or it is put in a box in the post office. There is no such performance with newspapers, either daily or weekly. The overwhelming majority of newspaper mail is either delivered at the post office sacked in bags and routed upon the routes, or it is actually delivered at the railroad station and thrown into the railroad car, the papers themselves furnishing all that transportation.

Mr. SMITH of Georgia. And furnishing the work in their own offices, their own mail clerks in their own mail department, doing all the work that the Government does in the post offices in preparing the mail.

Mr. HITCHCOCK. That is very true. Every newspaper of any considerable size maintains a small post office of its own. It has got to know the routes over its own territory, and it has got to put the paper into sacks which it procures from the post office, and in a very large proportion of the cases it delivers those sacks to the railroad train and they are thrown upon the railroad train, 200, 300, or 500 papers in a sack. When those sacks are opened the packages for each town are found there, and the railway mail clerks only throw those packages off at the proper town when it is reached. To say that that sort of service is anything like the service which is given in letter transportation is absurd. Practically the only expense of any amount which the Government is put to in the transportation and delivery of newspapers is the railroad transportation. It is not within the possibilities that any such enormous loss can be figured out as that which has been computed; but I am willing to say, Mr. President, that if there were a loss as high, or even 50 per cent higher than has been stated here, it would be a good investment for the United States.

This was a proposition which was placed upon the statute books when the eyes of the country were open. It was admitted here upon the floor of the Senate in that discussion that it would involve a loss, and the people were willing to bear the loss because it was predicted that the price of newspapers and of magazines would be reduced to consumers and that there would be a great spread of intelligence. All that has occurred. Newspaper subscriptions are not one-half so high as they were at that time. The penny paper has come into existence since that time; and the farmers since then have been able to secure a daily paper delivered at their doors and to get in close touch with the markets of the country. So I say that every prediction that was made as an inducement to the cheapening of newspaper postage has come true, and the whole system has become part of the web

and the woof of American life. Now, it is here proposed, without any due consideration, without any hearings that amount to anything, without any debate that can be at all thorough, without any statistics that are less than 10 years old, to tear that whole system up, and to compel thousands of publications in the United States to do what? Not necessarily to go into bankruptcy, but to increase their subscription price to their millions of subscribers.

I say that such legislation is reckless; and while I have spoken particularly of the newspaper, because it is the newspaper that I understand and know something about, I would be equally unwilling to see this thing done as against the magazines of the country or against the weeklies of the country. I believe that this system under which we give free distribution to the weekly papers within the county lines is a good one. I believe that the 1-cent rate is a wise one. I do not deny that there ought to be some discrimination. I believe that the great magazines that are transported throughout the country a thousand miles, 2,000 miles, 3,000 miles, 4,000 miles across the country, that only go once a month and flood the mails at that time and make extra work, should pay some higher cost for transportation than the paper which circulates in a comparatively small area every day as an actual necessity of life. But I do not believe that it is just to those magazines nor that it is just to those weekly newspapers to make this change without proper hearings and without consideration.

I have telegrams received from various publications. I have one here from Edwin R. Graham, who signs himself as chairman, and he says:

NEW YORK, N. Y., February 12, 1917.

Senator G. M. HITCHCOCK,
Washington, D. C.:

The religious press of America earnestly protest against the passage of Senate amendment increasing second-class postage. It will work hardship to publications of Protestants, Catholics, and Hebrews, many of which are published without profit. It will discontinue many of these publications, thus removing their influence for moral and religious training in the homes of America, where the foundations for better citizenship are laid.

EDWIN R. GRAHAM, Chairman.

I have a similar telegram from the Christian Herald, of New York, to this effect:

NEW YORK, February 12, 1917.

G. M. HITCHCOCK, Washington, D. C.:

Can not protest too strongly against increase in postal rate at this time. Increased cost of paper and other manufacturing necessities threaten to cause many publications to suspend. A few rich corporations might be able to stand an increase, which would create for them a monopoly, because their poorer competitors would be put out of business. Very few religious publications are now able to make ends meet; if they are compelled to pay the increased rate it will be impossible for them to survive.

THE CHRISTIAN HERALD.

Those papers have a nation-wide circulation, and while I believe that the lowest rate ought to be given to the local publication with its own constituency, yet I would not localize the whole thing. I think we must have national publications, and I believe it would be a very foolish thing for Congress, without proper hearings, to inflict this change upon them.

The Senator from Indiana [Mr. KERN] hands me a telegram from Frank B. White, managing director Agricultural Publishers' Association, to this effect:

CHICAGO, ILL., February 11, 1917.

JOHN W. KERN,
United States Senator, Washington, D. C.:

We represent over 7,000,000 farmer subscribers to high-grade farm papers, and in their behalf and in behalf of our already overburdened publishers we vigorously oppose any disturbance of existing postal rates for second-class matter at this time. No one is now qualified to foretell the future. Wait until conditions are normal; then reorganize entire system. Give us a chance to be heard. Change now would work great hardship to all and ruin to many, and would not bring a gain to the Government.

FRANK B. WHITE,
Managing Director Agricultural Publishers' Association.

Mr. President, that is the case. I made the point of order against the amendment, first, because it is legislation on an appropriation bill and ought not to be there; second, because it has not had any due consideration; third, because it proposes to uproot, practically without debate or discussion and practically without any demand, a law which was put upon the statute books 32 years ago after a general discussion and after popular education upon the subject.

Senators may think that they are only discriminating against the publications, but, as a matter of fact, they are legislating against the millions who subscribe for these publications, because it is to those millions that the rates will inevitably be raised.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by D. K. Hempstead, its enrolling clerk, announced that the House

agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 8092) confirming patents heretofore issued to certain Indians in the State of Washington.

ENROLLED BILLS SIGNED.

The message also announced that the Speaker of the House had signed the enrolled bill (H. R. 8092) confirming patents heretofore issued to certain Indians in the State of Washington.

WATER-POWER DEVELOPMENT—CONFERENCE REPORT.

Mr. SHIELDS. For the managers on the part of the Senate, I desire to submit a report of general disagreement on Senate bill 3331. I ask for the approval of the report and move that the Senate ask for a further conference, and that the Chair appoint conferees to continue the conference with the House.

The VICE PRESIDENT. The Senator from Tennessee submits a conference report, which the Secretary will read.

The Secretary read the report as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 3331) to amend an act entitled "An act to regulate the construction of dams across navigable waters," approved June 21, 1906, as amended by the act approved June 23, 1910, and to provide for the improvement and development of waterways for the uses of interstate and foreign commerce, having met, after full and free conference hereby report to their respective Houses that it is impossible for the managers on the part of the respective Houses to agree upon any report that would secure legislation in the premises.

They find themselves at such variance on the provisions of the Senate act and the House amendment thereto that they have agreed on a general disagreement, and hereby report to the Senate and House that they can not reach any agreement upon the Senate act and the House amendment thereto under consideration.

JOHN K. SHIELDS,
J. H. BANKHEAD,
KNUTE NELSON,

Managers on the part of the Senate.

W. C. ADAMSON,
T. W. SIMS,
JOHN J. ESCH,

Managers on the part of the House.

The VICE PRESIDENT. The question is on agreeing to the conference report.

The report was agreed to.

Mr. SHIELDS. I move that the Senate request a further conference with the House and that the conferees on the part of the Senate be appointed by the Chair.

Mr. GALLINGER. As we have agreed to a report stating that the conferees can not agree, and have ratified that fact, I do not know that it is in order—

Mr. SHIELDS. I can not hear the Senator.

Mr. GALLINGER. I suggest as the conferees themselves have reported to the Senate that they can not agree and have asked us to ratify that fact it seems to me a little singular that a new conference should be created on a bill that is in hopeless disagreement. I do not know whether there has been a similar case heretofore; it may have been done in some cases, but it looks to me as being rather anomalous.

Mr. SHIELDS. I do not think the situation is hopeless. I think some good will result from a further conference. It is very important legislation, and almost all of those with whom I have consulted desire that a further effort be made to adjust differences and agree upon a bill.

Mr. GALLINGER. I do not at all antagonize the Senator's desire, but it struck me as being rather unusual; that was all.

Mr. BANKHEAD. As I understand, the situation is this: Conferees were appointed on this bill some time ago—I do not remember exactly when—and when they went into conference it was developed that there was some misunderstanding on the part of the conferees of the House as to what could be done with reference to this bill without going back to the House before making any agreement at all. At a recent conference it was agreed that the only thing left was to report a general disagreement, have the matter go back to the House, and request a further conference without any limitations or instructions. That was the trouble with which we were confronted in the original conference. I do not believe that there is going to be much difficulty in securing an agreement when we get down to a real conference on this bill.

Mr. BORAH. Mr. President—

Mr. BANKHEAD. One moment. The report of the conferees on the part of the House is on the table; it has been adopted by the House, and I suggest that it be read.

Mr. BORAH. Mr. President, I suppose the indications of the situation are that the conferees are going to write a new bill?

Mr. BANKHEAD. No; I do not think so. I think the conferees will be perfectly able to take the two bills—the Senate bill and the House substitute for the Shields bill—and after they have had an opportunity to sit down around a table and consider the matter they will be able to work out a bill, taking the best parts of both bills.

Mr. BORAH. There will be the same bill and the same conferees, and I do not understand how they are going to make progress unless they propose to write a new bill.

Mr. BANKHEAD. I have just said that we have never had a real conference. The conferees have met, but it was understood at the time that the House conferees were in such a situation, owing to some conditions that were imposed by the House on the conferees of the House, that they were not at liberty to go into a conference with a view of agreeing upon a bill. So we have reported a general disagreement; the matter has been sent back to the House, and the House has adopted the report with a view of allowing the conferees to have a full and free conference. Under these circumstances, there will be no trouble perhaps in reaching an agreement.

Mr. BORAH. I think I understand.

Mr. SHIELDS. I desire to assure the Senator from Idaho that there is no disposition, at least so far as one of the conferees making this report is concerned, to write a new bill. There are some matters in the Senate bill that could be compromised and adjusted.

Mr. BORAH. The conferees would have ample precedent for writing a new bill. It has come to be more or less customary here for conferees to write new bills. I was not criticizing this particular conference, but was simply trying to keep up with the procession, and note incidents in the establishing of this rule.

Mr. GALLINGER. I will ask the Senator from Alabama if I understood him correctly to say that the conferees were embarrassed because of the fact that the House by action that it took on certain provisions of the bill bound the conferees of the House to a certain line of procedure?

Mr. BANKHEAD. No; it did not bind the conferees, Mr. President, but the chairman of the conference on the part of the House stated to the House that he would not consent to changes in the House bill without going back to the House and making a report.

Mr. GALLINGER. Well, was that agreed to? Did that procedure take place?

Mr. BANKHEAD. As I understand, the bill was ordered to conference on that statement of the chairman of the conference committee on the part of the House. I want to say to the Senator from Idaho that I think we understand the rules, and that if we were to undertake to write into this bill something that was not in conference we would at once get into very considerable trouble.

Mr. BORAH. The Senator is perfectly familiar with the fact that that has been done quite often.

Mr. BANKHEAD. Well, I think it has been done.

Mr. BORAH. It is growing into quite an established custom here.

Mr. BANKHEAD. Yes; I know.

Mr. BORAH. And I felt justified in making the observations I did for two reasons—first, because it has become a custom, and, secondly, because it was not quite clear to my mind how the conferees would make progress under the peculiar conditions here as they have been outlined. That was the reason why I made the suggestion.

Mr. BANKHEAD. I think we will have no trouble in making progress.

Mr. OWEN. Mr. President—

The VICE PRESIDENT. Does the Senator from Alabama yield to the Senator from Oklahoma?

Mr. BANKHEAD. I do.

Mr. OWEN. Referring to what has been said by the Senator from Idaho that it is becoming the custom for conference committees practically to write a new measure, I do not think the practice of the Senate ought to be regarded as established permitting that, because obviously that would lead to very serious consequences if it were conceded to be the practice. I assume it is said in a critical aspect rather than in the sense of regarding it as really an established practice.

Mr. BORAH. Well, I trust it will not become any more thoroughly established; but the Senator is quite familiar with

the fact that that precedent has been partially established. It is not necessary to go into the discussion of it. But some bills coming back into the Senate within the last 90 days have been practically rewritten, and, so far as I am concerned, I want to see a halt called on it.

Mr. OWEN. I should like to have it understood that the conferees representing the Senate are not at liberty to write new bills or to do anything more than to reconcile existing differences between the two Houses. That I understand to be the practice, and the established practice, from which no variation should be permitted; and I hope that that will be regarded as the established practice in dealing with such questions.

Mr. BANKHEAD. There will be no question about that.

Mr. SHIELDS. Mr. President, I will say to the Senator from Oklahoma that we understand the rules of the Senate exactly as he does—that the conferees have no power or jurisdiction except to adjust the differences between the two Houses that have been committed to them for consideration.

Mr. OWEN. Yes; I only wanted to have that understood, because I think otherwise it might have led us into some unpleasant consequences.

Mr. SHIELDS. Oh, I think so. It would be entirely wrong to do so.

Mr. THOMAS. Mr. President, I do not think a single instance makes a custom any more than that one swallow makes a summer. I recall only one instance of the kind to which the Senator from Idaho [Mr. BORAH] refers, although I do not pretend to say that there may not have been others. The one which I recall occurred when the conference committee on public lands reported the so-called 640-acre live-stock homestead bill. For the purpose of securing an agreement, new matter was inserted in the bill and reported to the Senate as such. The committee stated at the time that they had exceeded their authority. They also informed the Senate that they had so stated at the conference to the House conferees, and of course the bill as reported was subject to any objection that might have been made to it. During the discussion it was distinctly stated by those who protested against it, and I think accepted without question, that it was not to be considered a precedent under any circumstances. It was permitted to become a law because of the benefits which would flow from the bill and because of the impossibility otherwise of having a bill upon the subject at all.

I feel in some degree responsible—perhaps I should say guilty—of making or joining in the making of such a report contrary to the usual practice and powers of a committee of conference; and I should greatly regret if that incident should ripen into a custom, notwithstanding the great benefit it has conferred upon the people of the West, who have very largely even now availed themselves of its provisions.

Mr. BANKHEAD. Mr. President, I think I can say for the conferees on the part of the Senate that they understand what the rule is with reference to conference reports. Our only purpose and hope is that we can reach a conference in which we will be able to adjust in a measure the differences between the two Houses, retaining, of course, the provisions of one or the other of the bills. We certainly will not attempt to write any new legislation into this bill, nor will any absolutely new legislation be contained in the report. Mr. President, the purpose of a conference is to adjust differences, and there are differences between the House and the Senate that I believe can be adjusted to the satisfaction of both Houses, and I believe we will be able to frame a report that the Senate will adopt.

Mr. WALSH. Mr. President, I am very sure that general regret would be felt if the differences between the two Houses should be found to be entirely irreconcilable, as would appear from the report of the committee.

Mr. BANKHEAD. Mr. President, let me say for the information of the Senator from Montana that the only reason why there were irreconcilable differences between the two Houses is just what I have stated—that the chairman of the conference committee on the part of the House stated to the Senate and the House conferees, for some reason, I do not know what, that he would not concede any of the provisions of the House bill until he had made a report back to the House. Now, that is what we have done. We have reported a general disagreement, with the understanding in the conference and in the House, I think, that a further conference might be held in order that we might have an opportunity to work out these differences without any strings being tied to the matter.

Mr. WALSH. That is what I rose to inquire of the Senator from Alabama—what recommendation he had to make in the matter and what hope he could hold out that the differences might yet be accommodated.

Mr. BANKHEAD. Mr. President, if the Senator from Montana means to ask me what my views are and what I am going to concede in the conference and what I hope to work out of the conference, I will frankly tell him that I can not state. He knows enough about the work of a conference committee to know that it is always a matter of give and take. That is the purpose of the conference. No conferees on the part of the Senate can hope to go into a conference with the conferees on the part of the House and sit down and say, "Here is what we will accept, and we will not accept anything else." That is not a free conference. What we want to do is to have an opportunity, as we have not had for the reasons I have stated, to sit down around our conference table, take these two bills, compare them section by section, and agree upon what the conferees will report, with the hope and expectation that when we have made that report it will be accepted on the part of the House and the Senate.

Mr. WALSH. I merely wanted to find out from the Senator what line of action he felt he could recommend to the Senate.

Mr. BANKHEAD. Mr. President, I do not hesitate to say that as one of the conferees I shall adhere as closely as I can to the provisions of the Senate bill. We may not be able to retain, without some amendment or some change, some of those provisions; but the general principle involved, I think I might say with confidence, will be retained.

Mr. WALSH. Mr. President, one of the great projects the development of which was contemplated by the legislation which it was hoped the Congress would enact is in the State of Washington. It contemplates the development of a site capable of generating over 400,000 horsepower. In anticipation of action by the present Congress, steps had already been taken looking to the development of that great project. For the purpose of indicating to the Congress now the tremendous loss to which the country is subject by reason of the failure of Congress to legislate on this important question, if the Senator from Alabama does not object, I should like to send to the desk and have read by the Secretary a clipping from a recent paper telling briefly about the property and the importance of it.

Mr. BANKHEAD. I have no objection.

The VICE PRESIDENT. As the Chair understands, the motion is to request a further conference with the House, and that the Chair appoint the conferees. Is that correct?

Mr. SHIELDS. That is correct.

The motion was agreed to; and the Vice President appointed Mr. SHIELDS, Mr. BANKHEAD, and Mr. NELSON conferees at the further conference on the part of the Senate.

Mr. WALSH. Mr. President, I ask that the newspaper extract to which I refer be read from the desk.

The VICE PRESIDENT. Is there any objection? The Chair hears none.

The Secretary read as follows:

[From the Tacoma (Wash.) Daily News of Saturday, Jan. 27, 1917.]

MILWAUKEE PLANS STIR—FEDERAL OFFICIAL BRINGS NEWS OF GIANTIC PLANT—RUMORED THAT 500,000-HORSEPOWER PROJECT ON PRIEST RAPIDS, WHICH TACOMA UNITED STATES ENGINEER INVESTIGATES, MAY FURNISH CURRENT FOR ELECTRIFICATION OF MILWAUKEE ROAD TO THIS CITY.

The development of 500,000 horsepower at Priest Rapids, 9 miles from Beverly, the crossing of the Milwaukee Railroad on the Columbia River, is planned by the Washington Irrigation & Development Co., according to G. L. Parker, district engineer in charge of the United States Geological Survey headquarters for Washington, in Tacoma.

The total horsepower development in the State now aggregates only 400,000; so that the contemplated plant will use more power than all the present plants. It is said that an expenditure of between \$25,000,000 and \$30,000,000 at a minimum will be necessary for construction.

TACOMA ENGINEERS CALLED.

The company, a New York concern, through its consulting engineer, Mr. O. Leighton, of Washington, D. C., is cooperating with the State and Government geological surveys on the preliminary work of determining the stream flow at Priest Rapids. The company is paying the expenses and the Government salaried the men employed. Mr. Parker spent several days there outlining the work, and J. E. Stewart, of the Tacoma office, returned from there to-day. C. G. Paulsen, assisted by John McCombs, from here, are in charge of the work, and will be on the ground until the survey is complete. Mr. Parker was not at liberty to state the use to which the power would be put.

The geological survey here is also cooperating in the development of a great power project at Meteline Falls on Clarks Fork, or the Pen d'Oreille River. Hugh L. Cooper, of New York City, consulting engineer, is representing the firm which proposes to develop eventually 600,000 horsepower. The first installation of machinery will care for about half that amount. This company already has spent \$175,000 for investigation. The dam proposed at Meteline Falls will be 375 feet high, 25 feet higher than the present highest dam in the world—the Arrow Rock Dam near Boise, Idaho. Mr. Cooper built the Keokuk Dam on the Mississippi River, one of the greatest engineering projects in the country.

A third power development is being investigated on the Snake River near Almota, but the Tacoma office is not cooperating with them.

Action, which it is expected Congress will take within 30 days, may determine the location of the power plant to supply hydroelectric power for electrification of the Milwaukee from Othello to Tacoma.

The mountain electric division of the company is supplied from the Montana Power Co. This power is now under Government control, but the rights are privately owned, and passed to the company before Government regulation of the water power of the country was taken up.

LEGISLATION RESTRICTS.

The incorporation of the Intermountain Power Co. is said to be a branch of the Montana Power Co. Another report is that the company proposes to supply power to mines in Idaho, while it is also believed the same plant may supply the Milwaukee.

Government agents have been investigating the Priest Rapids project recently. The development of water power at this point has been retarded the last three years, say water-power experts, since it is now possible to obtain only a 10-year lease from the Government of water-power projects, and restrictions are such that capital has hesitated to enter the business.

CONNECTED WITH MILWAUKEE.

It is said it will take several months for the Milwaukee to work out the preliminary details of the proposed electrification of 200 miles to the coast, and in the meantime action is expected to be taken by Congress which will aid the development of such projects.

The Priest Rapids project often has been associated with the Milwaukee in its electrification work.

The fact that Government representatives are investigating the Priest Rapids project at this time makes it evident, according to water-power men in this State, that legislation is forthcoming soon to warrant the development of this project.

Mr. WALSH. Mr. President, I am quite sure it will interest readers of the RECORD to learn about the success which has attended the electrification of the Milwaukee road. I send to the desk and ask to have printed in the RECORD, without reading, a newspaper account of that. I also send to the desk a resolution recently passed by the Legislature of the State of Montana, praying Congress for the enactment of legislation upon the water-power question, and ask that that be incorporated in the RECORD without reading.

There being no objection, the matter referred to was ordered to be printed in the RECORD, as follows:

ELECTRIFICATION OF "MILWAUKEE" TO BE EXTENDED—PREPARATIONS UNDER WAY FOR MANY MORE MILES OF "JUICE" TRACKAGE—COLD HELPS ELECTRIC ENGINES—GREATEST ELECTRIFICATION PROPAGANDA NOW IN MONTANA IS WORKING O. K. DESPITE SEVERE COLD—THEY BUCK THE SNOW DRIFTS.

Electrification of the Chicago, Milwaukee & St. Paul Railway completed through the Rocky and Belt Mountains and nearly finished in the Bitter Roots will be extended to the Pacific coast. Announcement of the plans was made by C. A. Goodnow, assistant to the president of the Milwaukee system, who has had charge of the electrification work, according to P. H. Scanlan, local Milwaukee agent.

Success of the electrification already completed has been so phenomenal that the electrified line will be extended through the Cascade Mountains. Surveys have been made and the improvement will be completed as soon as possible.

HAS 416 MILES NOW ELECTRIFIED.

Four hundred and sixteen miles of the St. Paul's Puget Sound line in Montana—from Harlowton to East Portal—is now under electrified operation, and work on the 24 miles from East Portal to Avery, Idaho, is to be completed in February. This will furnish the original electrification program of 440 miles.

This work was done in four units, the third of which, from Deer Lodge to Alberton, was completed about two months ago. Winter weather has somewhat delayed the work on the fourth unit, but already electric engines are in operation from Alberton to East Portal, and a month is expected to bring completion of electrification across the Bitter Root Mountains.

EASE OF OPERATION IS FEATURE.

The outstanding feature of the success of electrification is the ease with which heavy freight trains are handled on the mountain grades. Five trains of about 62 cars each are moved daily each way across the mountains by the big electric engines, and estimates are that four hours are saved by each train on each 100 miles.

Recently Louis W. Hill, president of the Great Northern, and J. M. Hannaford, president of the Northern Pacific, took a trip over the 339 miles of the electrified line and they were greatly interested in the sight of electric engines hauling heavy freight trains up the steep mountain grades at a speed of 15 miles an hour.

NO TROUBLE THIS WINTER.

"We have had no trouble in maintaining schedules over our electrified lines this winter, for cold weather helps rather than hinders electric engines, which also buck through snow drifts which stall the steam engines," says Mr. Scanlan. "The time we save on the mountain division has helped insure delivery of freight and passengers on time. Electrification with its increased comforts has brought a marked growth in our business."

"The ease of operation, the time-saving, and other advantages already brought out have led the management to take up the extension of electrification. It is hoped that soon the difficulties of the Cascade Mountains will be solved as have been those of the other ranges. Power can be developed in the Cascades just as it has been in the Rockies. Engineers are now at work on other problems of the improvement. It is a big undertaking, but the system hopes to push it to completion soon."

House resolution 2. (Introduced by Mr. Scott.)

To the honorable PRESIDENT OF THE SENATE OF THE UNITED STATES: We, your memorialists, the House of Representatives of the Fifteenth Legislative Assembly of the State of Montana, do hereby respectfully submit the following resolution:

"Whereas there is now pending in the Senate of the United States a bill for an act providing for the development of water power and the use of public lands in relation thereto; and

"Whereas the State of Montana is desirous of the reasonable development of its resources under such laws and regulations as will effectively conserve the public interest, is vitally interested in the consideration of such water-power bill; and

"Whereas there exists in our State an urgent need for the opportunity of developing its water power as an aid to its industrial growth and progress; and

"Whereas there are situated within the State of Montana many large streams and natural power sites of magnitude and great potential possibilities, the early development of which, for the production of hydroelectric energy and other kindred uses, depends in large measure in the attitude and action of the National Congress in connection therewith: Now, therefore, be it

"Resolved, That we, the House of Representatives of the State of Montana, respectfully ask, in connection with the water-power bill now under consideration in the Senate of the United States, for immediate legislation such as will permit, fully and freely, the development of water power in the streams and power sites on the public lands, and on the Indian reservations in Montana, under such rules and regulations as the Congress of the United States may prescribe.

"Resolved, That a copy of this resolution be transmitted by the secretary of state to the Hon. HENRY L. MYERS and Hon. THOMAS J. WALSH, United States Senators, at Washington, D. C."

I hereby certify that the foregoing resolution transmitted to you this day originated in the House of Representatives of the Fifteenth Legislative Assembly of the State of Montana and was duly passed this 16th day of January, 1917.

S. V. STEWART,
Governor.
JAS. F. O'CONNOR,
Speaker of the House.

Attest:

C. H. TREACY,
Chief Clerk.

Approved January 16, 1917.

S. V. STEWART,
Governor.

Filed on January 16, 1917, at 1.45 p. m.

C. T. STEWART,
Secretary of State.

UNITED STATES OF AMERICA,
State of Montana, ss:

I, C. T. Stewart, secretary of state of the State of Montana, do hereby certify that the above is a true and correct copy of an act entitled "House resolution 2," memorializing the Congress of the United States for the early consideration of water-power legislation, enacted by the fifteenth session of the Legislative Assembly of the State of Montana, and approved by S. V. Stewart, governor of said State, on the 16th day of January, 1917.

In testimony whereof I have hereunto set my hand and affixed the great seal of said State.

Done at the city of Helena, the capital of said State, this 16th day of January, A. D. 1917.

[SEAL.]

C. T. STEWART,
Secretary of State.

POST OFFICE APPROPRIATIONS.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 19410) making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1918, and for other purposes.

Mr. CUMMINS. Mr. President, I desire to make a parliamentary inquiry. I do not know whether the Chair will be willing to rule upon the matter in advance or not, but I take the liberty of putting the question.

If the motion now pending is agreed to, will the amendment proposed by the committee and referred to in the motion be open to amendment in the same way and to the same extent as though it were originally in order? I think that parliamentary question will determine some votes upon the suspension of the rules.

Mr. BRYAN. Mr. President, I do not think there is any doubt that the amendment will be open to further amendment. We set a precedent for that recently.

The VICE PRESIDENT. The opinion of the Chair is that if the rules are suspended for the purpose of enabling the Senator from Florida to offer an amendment, which is general legislation, that opens the door for all amendments upon the particular subject embraced in the amendment of the Senator from Florida, but does not open the door for all general legislation on the bill.

Mr. CUMMINS. But any amendment pertaining—

The VICE PRESIDENT. Any amendment which has to do with newspaper, periodical, and letter postage.

Mr. CUMMINS. Anything pertaining to letter postage would be in order?

The VICE PRESIDENT. That is the opinion of the Chair.

Mr. BORAH obtained the floor.

The VICE PRESIDENT. The hour of 1 o'clock having arrived, the Chair lays before the Senate the unfinished business, which will be stated.

The SECRETARY. A bill (S. 8148) to define and punish espionage.

Mr. OVERMAN. I ask unanimous consent that the unfinished business be temporarily laid aside that the Senate may proceed with the consideration of the Post Office appropriation bill.

The VICE PRESIDENT. Is there objection to laying aside the unfinished business temporarily for the purpose of proceeding with the Post Office appropriation bill? The Chair hears none. The Senator from Idaho.

Mr. BORAH. Mr. President, it is not my purpose to discuss the merits of this amendment, either as it has been proposed or as it may, by reason of other amendments, come before the Senate; but no one could have listened to the statement of the able and courageous Senator from Florida [Mr. BRYAN] without knowing that there is an evil here to be remedied, that there is an injustice to be righted. The only thing that I desire to say is that it seems to me to be the clear and unmistakable duty of the Senate to openly and candidly meet this question, and to that end that we should suspend the rule to enable the matter to come directly before the Senate for disposition.

I do not commit myself at this time as to what particular method should be pursued in order to remedy the wrong, but I am very clear in my mind that some legislation ought to be had, and that the Senate can do no less than to meet the situation by suspending the rule and enabling it to come before the Senate. When it comes properly before us we can work out the detail, but that something should be done I have no doubt.

There has been a great deal said upon this subject from time to time. There is one extensive and illuminating report in regard to it; there have been hearings; and I am rather of the opinion that most Senators have made up their minds in a general way as to what ought to be done. It does not seem to me that we need to take very considerable time to dispose of it. I do sincerely hope that the Senate will suspend the rule and enable us to meet this matter and dispose of it. Let us not shirk the responsibility.

I have received during the last 48 hours, as every Senator in the Chamber no doubt has received, a great number of telegrams, and I have received some most extraordinary communications, communications which make it all the more desirable upon my part that we should come out in the open and dispose of it. I do not want them writing to me as a Senator of the United States and saying that it is a dangerous matter as a political proposition to touch or deal with this subject, and to call my attention to the fact that some who have undertaken to deal with it have been punished politically for doing so. If there is that kind of a threat pending over this body, it ought to meet it by disposing of this question, and I sincerely hope that we may do so.

Mr. VARDAMAN. Mr. President, I am very glad the able and patriotic Senator from Idaho [Mr. BORAH] has made that statement. I am not in any way interested in the publication of a newspaper, and, therefore, what I say will not be colored by personal interests. However, I have devoted a good deal of my life to the newspaper business. I know the difficulties, trials, and tribulations of the country newspaper because I have been a part of it. The country newspaper does a great service to mankind. Its editor lives in close contact with his subscribers; he is familiar with their wants, moved by their necessities, sympathizes with them in their sorrow, and rejoices in their hour of happiness. His columns are devoted to the protection of their interests. He supports the measures that will promote the interests of the toiler, publishes the news useful and helpful to his subscribers in the management of their affairs. He stands for measures of reform and inculcates moral truths, all of which is for the public good. I would not have this Congress enact a law that would in any way hinder or encumber the honest newspaper in the performance of its proper function or deny to its owner a fair return from the money invested in the plant.

I realize the very great advantage which the people of the country derive from the circulation of a great, clean, intelligent, brave newspaper. The opportunity of the editor to serve his country and help his countrymen is greater than any other function in modern society. I realize also that the rural mail delivery and all the facilities provided by the Government for the distribution of newspapers have wrought a wonderful work in the matter of education.

The able and learned Senator from Nebraska [Mr. HITCHCOCK] spoke of the great newspapers that have grown up under this system which was established many years ago. He referred to the fact that newspapers are sold cheaper now than heretofore. That is all very good and very true; but the newspaper did not reduce the subscription price to serve an altruistic purpose because of any special desire to benefit the reader. That was not the sublime purpose that inspired the newspaper manager's soul. The price was reduced that all people might be able to buy it, the circulation increased, and the value of its advertising space enhanced. The newspapers do not make any money on the subscription price, any way, but every subscriber added to the list increases the rate charged the advertiser.

Now, to say that the American people should be forced to give this subsidy to the newspapers to the amount I think the

Senator from South Carolina [Mr. SMITH] said of about \$80,000,000 a year is not fair, it is not just to the other taxpayers, and the Senate can not afford to be intimidated in the performance of its manifest duty because perhaps you may incur the displeasure of some newspaper publisher who would resent cutting down his profit. I can not think there is a Senator in this Chamber who would be deterred from the performance of his duty by such an ignoble consideration.

The same argument made by the Senator from Nebraska would apply against revising the tariff, because all the great business enterprises of this country grew up under the fostering care of a protective tariff. Shall the abuse be permitted to continue when we know it is a subsidy, when we know we are giving it to an enterprise, that it is not altruistic in its purposes, that it is not a charitable concern by any means, but rather a cold-blooded business undertaking?

To-day in the United States the large newspapers are making more money than they ever made before; they are getting larger prices for their advertising space and therefore better able to bear a part of the enormous expense of government at this time.

The newspapers of the country are responsible more than any other agency for the creation of the public sentiment that has caused Congress to make the unprecedented, unparalleled appropriations that have created the deficit in the Treasury.

I submit, Mr. President, it is not fair to the American people to further increase that deficit by voting this undeserved and unnecessary subsidy to the metropolitan newspapers and magazines of the United States.

The motion made by the Senator from Florida ought to prevail, the rule should be suspended, and the amendment proposed by the committee should be adopted because it is right. We owe it to the American people to do that.

Mr. LEE of Maryland. Mr. President, the question of doing something to regulate the large newspaper corporations of the country and to discourage and destroy if possible the venality which now so largely controls them is a very grave question before the American people. I have recently become aware of an instance that I think exceeds in corruption and lack of patriotism on the part of many of the large newspapers of the country anything that ever happened before in the history of the press. Some years ago I saw a ballad, possibly by Kipling—it certainly was Kipling-like—entitled "The Russian Battleship," a story of a battleship that had been built, equipped, and paid for out of the Russian treasury, and yet never existed at all. The books of the Imperial treasury were balanced, so to speak, by entering, according to the ballad, against the entries for this fictitious ship, charges against the resources of Russia, the simple statement, "Lost at sea."

Mr. President, this story, poetical or imaginary, as it may be, of corruption in the Russian naval administration was doubtless smiled at, in rather a superior way, by the English-speaking peoples who read it. Such a thing happening in the Russian Navy or the Turkish Navy or the Chinese Navy, from our standpoint of Anglo-Saxon superiority, could not possibly happen to our navies.

Yet, Mr. President, something as bad as that or worse has been attempted and, so far as many of our great newspapers are concerned, has happened within the last three or four weeks, and I am under the impression that the Members of the Senate, so skillfully has this matter been concealed, are hardly aware of the point of the matter. This thing that was acceptable to so much of the press of the country not only implied the loss of one battleship, but it implies the possible destruction of our whole fleet. It implied, in effect, leaving our coasts undefended by our battleships, and, in the face of the great movement for preparedness, shows a combination between the venality of a great corporation and the assistant venality of the press. Yet the incident itself has escaped the attention and understanding of the American people as well as of many of their legislative representatives here in Washington.

I refer to the question of the quality of shells for the Navy. What good is there in having a Navy, in having educated naval officers, in having expensive battleships, in having great guns upon those battleships, and manufacturing your powder with expense and care when, by a conspiracy for profit, defective shells must be used in meeting an enemy fleet?

Mr. President, the policy of having defective shells to fire at an enemy, which has been defended by some of the great shell-making corporations in this country has been covered up, in its horrid details, by venality and suppression of news in many of our great newspapers, evidencing a willingness to disarm our fleet and leave our country undefended, if carried to the conclusion that these people evidently desired.

But fortunately we have a brave and honest man at the head of the Navy Department in Secretary Daniels. He had been

caricatured by these very people who would disarm our fleet, extensively caricatured, because they knew the type of man they had to deal with. They sought to break him down, knowing him to be too well informed and too courageous for their purposes. We have also brave and able officers in the control of our Navy, officers standing behind an honest Secretary, and they were all willing to expose this thing as far as it lay in the power of the Secretary and the officers of the Navy to expose it, when most of the press of the country was endeavoring to conceal it.

Mr. President, money seems to have passed. This betrayal of our Navy by the press was apparently paid for. The head of the great concern that made most of the defective shells put in the newspapers of the country expensive advertisements attacking the Navy Department for giving this contract to a foreign company. Immediately after that the Secretary of the Navy prepared a bulletin, and that bulletin gave the details of this defective-shell business, but the heart of that bulletin was cut out by the newspapers of the country. I have mentioned the matter to a half dozen Senators and none of them, with one exception, had any knowledge of the actual facts in the case. One great newspaper, the New York Times, had a full statement of the Navy Department bulletin. It would be a public service if it could be exactly ascertained just what papers accepted the advertising and suppressed the most convincing details of the Navy Department bulletin. So far as I am advised a great number of the papers of the country have suppressed the vital portions of that bulletin.

Mr. President, does the country understand that the Bethlehem Steel Co., out of thirty-four 14-inch shells submitted for test, could only pass three of them, or, in other words, that an American battleship firing 34 such shells at an enemy would be firing only 3 perfect shells? So it went through the list. One company, however, got up to 73 per cent of good shells.

On the other hand, the foreign company that got the contract qualified every one of its shells, or 100 per cent; so that using those shells every one fired at an enemy would be good, and our Navy would at least have an equal chance with a navy equally well provided with good missiles in its great guns.

Mr. WADSWORTH. Will the Senator yield? I desire to ask him a question for my own information. I understood him to say a moment ago that a foreign company had made the test with its shells.

Mr. LEE of Maryland. The foreign company qualified 100 per cent. So the Secretary of the Navy says. I will read from this statement very briefly, the main part that was apparently suppressed by the newspapers, so that the Senator, who naturally may not have seen what had been suppressed, will understand the situation:

In 1913 the Bureau of Ordnance, convinced by reports from abroad that the makers of shells for foreign navies had succeeded in perfecting an armor-piercing shell which could pass more severe tests than those we were stipulating up to that time, increased the severity of our own requirements, and, convinced that there was no good reason why our manufacturers could not manufacture shells of equally good quality, raised our test requirements. There was an immediate storm of protest from those companies enjoying practically the monopoly of this business, although it was pointed out that these conditions were no more severe nor even as severe as those enforced abroad, and that shells that could meet these tests were actually being manufactured abroad and could be manufactured here. Some American companies seemed to think that it was our duty to let them go ahead in the same old way, manufacturing shells inferior to the best rather than to expect them to improve their product. Of course, their pleas and even their thinly veiled threats to go out of the business if we did not concede this right to them were ignored.

Now, Mr. President, here come the deadly actual facts. Here come the facts that the press quite generally, so far as I am informed, suppressed, the very newspapers that received the large advertisements from this great corporation a few days before. The Senator from Mississippi [Mr. VARDAMAN] said just now that the newspapers to-day are not running on their subscriptions, that they are running on their advertisement accounts, and this is a pretty good illustration of how completely they are running on their advertisement accounts, especially when dealing with a matter that is absolutely vital to the defense of the country. The Secretary of the Navy, continuing this bulletin, says:

I regret to say that these companies, apparently secure in the belief that we would have to take whatever kind of shells they manufactured anyway, and at any price they saw fit to make, have not improved their projectiles to meet the real requirements. I would be most reluctant to publish these figures did I not believe that they were well-known abroad, and in view of this I feel no harm can be done in letting our own country know the facts.

Out of thirty-four 14-inch shells submitted by the Bethlehem Steel Co. for test 3 passed, a percentage of 8.8. The Crucible Steel Co. managed to get 37.7 per cent of the sample shells submitted passed, and the Midvale, which apparently showed more enterprise and real desire to bring up the standard than others, passed 73 per cent, a most gratifying improvement over the others, and which shows that our contention that American companies can produce good shells is well founded. Of

the shells submitted by the Hadfields (Ltd.), consisting of three sample shells and six additional test shells, not a single one failed to meet all the requirements.

Mr. President, I would like to put this entire bulletin from the Navy Department in the RECORD, and if there is no objection I will not read it further.

The PRESIDING OFFICER (Mr. BRANDEGEE in the chair). Without objection consent is given.

The matter referred to is as follows:

STATEMENT FROM NAVY DEPARTMENT.

WASHINGTON, D. C., January 20, 1916.

Several newspaper comments on the recent award of armor-piercing shells to an English firm, evidently based on a complete misunderstanding of the situation, and a particularly silly article in the Daily Metal Reporter of January 15 convince me that a concise statement of the experiences of the department in obtaining shells equal in quality to those used by foreign navies at a reasonable price is necessary to enable the public to understand what has been going on.

The Daily Metal Reporter's editorial writer advances the amusing theory that Hadfields (Ltd.), which is the name of the English firm whose bid for armor-piercing projectiles has been accepted, put in their bid at the instigation of the British Government to create a panic in the American steel market, so that the British purchasers of steel could batter down the prices. Aside from the patent absurdity of attempting to use this small order for such a purpose, it is only needed to note that to sustain this theory it is necessary to assume that six months before the war began Great Britain was able to forecast the situation to-day, as Hadfields put in their original bid for practically the same shells at that time. When certain American manufacturers learned in 1914 that Hadfields would submit bids, they reduced their price from \$500 to \$315 each on 14-inch shells and on other sizes in proportion and secured the contract at their bid, thus enabling the Navy to effect a saving of \$1,077,210 on the one order. The department wishes to give all its orders to American manufacturers whenever they quote reasonable prices and furnish shells that meet Navy requirements. Nothing but the utter failure of the most patient negotiations and appeals to the patriotism of the little group of steel manufacturers which have a practical monopoly of this business have made it imperative for the Government to build a projectile factory and give a contract to a foreign bidder. The Bethlehem Steel Co., controlled by Mr. Schwab, which has been filling the papers with advertisements criticizing the Navy Department, admits in its latest advertisement that, though it was two years ago awarded a contract for one and a half million dollars worth of shells, it has not yet made shells to meet the requirements of the Navy Department. Until it is able to fill its contracts it does not become the Bethlehem company to criticize the Navy Department for awarding contracts to manufacturers who can make shells that meet the tests.

I regard the attitude of these companies in this and other matters as most unfortunate, and, were there no relief through competition either by the Government or by other more patriotic firms, I would feel that they were putting our entire program of preparedness in peril. In urging the necessity for our tremendous program of naval development in Congress, I found the most serious obstacle to contend with was the feeling of many Congressmen that the whole matter of preparedness was a deliberate organized campaign on the part of manufacturers of war material to obtain enormous contracts at fabulous prices. I did not share this opinion. The splendid action on the part of some other manufacturers in foregoing the chance to obtain war profits from the material needed in the construction of our new program has justified my belief that the manufacturers of this country as a whole are willing to assume their share in the program of preparedness without abnormal profits. That other large manufacturers of war materials should persist in extracting the last penny of profit from our urgent necessity gives a certain color to the arguments of those who believe that "preparedness" is a synonym for profits and not patriotism.

There is, however, an even more serious consideration in this particular matter of shells than that of money. In my hearings and elsewhere the money side of it has been put before the public—how the price of shells crept up to \$500 apiece in 1912; how the knowledge that the Hadfields were prepared to make a reasonable bid in the latter part of 1913 led to a sudden cutting of the price to \$315; how the elimination of the English competitor by the war resulted in an increase of over \$100 per shell in the latter part of 1914; how, still resting under the belief that no foreign competition was to be expected, some American companies raised the price to \$539 in 1916—all this has been made clear before.

What has not been made clear, however, is the failure of the companies manufacturing projectiles, with no spur of competition to drive them on, to keep pace with the improvements in the quality of armor-piercing shells that were being made abroad. A difference in the price of shells can be expressed in dollars and cents. Inferiority of weapons of defense, when the fate of the battle may easily depend upon this single element, can not possibly be expressed by any amount of money, however large.

In 1913 the Bureau of Ordnance, convinced by reports from abroad that the makers of shells for foreign navies had succeeded in perfecting an armor-piercing shell which could pass more severe tests than those we were stipulating up to that time, increased the severity of our own requirements and, convinced that there was no good reason why our manufacturers could not manufacture shells of equally good quality, raised our test requirements. There was an immediate storm of protests from those companies enjoying practically the monopoly of this business, although it was pointed out that these conditions were no more severe nor even as severe as those enforced abroad and that shells that could meet these tests were actually being manufactured abroad and could be manufactured here. Some American companies seemed to think it was our duty to let them go ahead in the same old way, manufacturing shells inferior to the best rather than to expect them to improve their product. Of course, their pleas and even their thinly veiled threats to go out of the business if we did not concede this right to them were ignored.

I regret to say that these companies, apparently secure in the belief that we would have to take whatever kind of shells they manufactured, anyway, and at any price they saw fit to make, have not improved their projectiles to meet the real requirements. I would be most reluctant to publish these figures did I not believe that they were well

known abroad, and, in view of this, I feel no harm can be done in letting our own country know the facts. Out of thirty-four 14-inch shells submitted by the Bethlehem Steel Co. for test, three passed, a percentage of 8.8. The Crucible Steel Co. managed to get 37.7 per cent of the sample shells submitted passed; and the Midvale, which apparently showed more enterprise and real desire to bring up the standard than others, passed 73 per cent, a most gratifying improvement over the others, and which shows that our contention that American companies can produce good shells is well founded. Of the shells submitted by the Hadfields (Ltd.), consisting of three sample shells and six additional test shells, not a single one failed to meet all the requirements.

In view of this record and of the necessity of having our ammunition equal to that of other countries, I felt that I would have been criminally negligent, even if no question of price were involved, in refusing to accept the bid of the Hadfields. I am determined that our Navy shall have as good ammunition as any other nation and, if possible, better ammunition, and will buy such ammunition at any time and any place that it can be best obtained.

As I have repeatedly pointed out, all questions of price or profits being eliminated, a monopoly invariably leads to stagnation. It is only human nature for a firm certain of getting an order to avoid the expense of the experiments and improved processes required to improve the quality of its goods. This is exactly what has happened in the manufacture of armor-piercing projectiles. Nothing could better illustrate the necessity of competition if we are to keep abreast of other Governments and of the soundness of my contention that if competition can not be secured otherwise the Government itself must compete.

As to the contention that by establishing a Navy plant we are going to force private manufacturers out of business, it is an absurd and untenable theory. Our requirements, with an ever-increasing Navy, will of necessity be greater each year than the year previous. There will always be plenty of work for the private manufacturers so long as they are willing to improve their product so as to keep abreast of foreign Governments and to quote a just and reasonable price for what they make.

I have never had in mind a Navy plant of greater capacity, working one shift of men, than one-third of the total amount required by the Navy. The two-thirds left for the private manufacturers, with our new ships in commission, will be greater than the whole amount of a few years ago. Only in case of an utter failure on the part of the private manufacturers to keep their product abreast of the times or to quote prices in any way reasonable would it be necessary for the Navy, by working three shifts instead of one, to manufacture enough material to cover our entire needs.

In recent years the Navy has built some of its own ships, has manufactured a large amount of its own powder, and has also undertaken to manufacture a number of smaller articles which are also purchased; yet to-day we have more work for the shipyards than they can handle; the powder manufacturers are still receiving contracts; and in the smaller materials we have no complaints from the private manufacturers that we have driven them out of business. The theory that a Navy plant will result in a Government monopoly has been proved false by what has happened as well as being obviously unsound.

Mr. THOMAS. Mr. President, I merely wish to say, if the Senator from Maryland will permit me, that the suppression of important information which is detailed in that bulletin is not an isolated instance. During the existence of the present Congress the Senator from Nebraska [Mr. NORRIS], the Senator from Wisconsin [Mr. LA FOLLETTE], the Senator from North Dakota [Mr. McCUMBER], and myself, upon more than one occasion, called attention to the testimony of certain naval officers, presumably experts upon the subject, to the effect that before the outbreak of the European war the Navy of the United States ranked second in strength to all the navies of the world; in other words, that our naval strength was only second to that of Great Britain at that time; and the same statement was made two or three times from other sources. I have never been able to observe that that information was given to the public; yet it is a very important matter.

Mr. LEE of Maryland. Mr. President, I will briefly conclude what I have to say on this subject, as I do not expect to vote for the amendment suggested by the Senator from Florida. I do not believe, Mr. President, that this matter of newspaper postal rates, which should go with some regulation or provision for fair journalism, ought to be taken up in this way. I think the question of these rates is a very large and a very grave question. I think it is so large a question that it has got to be dealt with more completely than is possible on an appropriation bill and under the circumstances which now confront the Senate. I am convinced that the whole matter has to be more fully gone into, and the question of the rates dealt with at a time when the Senate and the American people can pay full and proper attention to it. It is a subject really most vital to the interest of our country. I do not think it can be disposed of under circumstances such as those that confront the Senate and on an appropriation bill. It should be broadly considered and the whole matter disposed of as a matter of general legislation, and in a way that will protect the interests of the country, and not be brought up here under an extraordinary motion to be handled on an appropriation bill in the expiring days of the Congress. It is a large matter, as I have shown, going to the very vitals of the defense of the country. We really do not know where this proposition comes from about increasing these rates. I would rather see the rate of one and a half cents a pound stand than to increase it to 2 cents and not know what the effect is going to be in shutting the door to the little crack

of light that does come through the darkened journalism of the country to enlighten the consciences and inform the voters of our Nation.

Very frequently propositions fatal to liberty come to us veiled with the suggestion of economy. I would go on and bear the burdens we are bearing rather than close down upon smaller newspapers or the possibility of slashing newspapers and periodicals through which the news may creep out to the people.

Nor do I believe, Mr. President, that this is the time to reduce the rate of postage on the postal matter mentioned in the first portion of the amendment. It is better to raise that money under present conditions in the way that it has already been raised, and if there is a surplus let it go to relieving the burdens that will fall on the people of the country in other respects in the Postal Department and in other departments of the Government.

This is a very broad question, Mr. President, and I am disposed to vote against the motion of the Senator from Florida, because it is so large a matter that I do not believe it can be wisely settled by this type of an amendment on an appropriation bill.

Mr. KENYON. Mr. President, I shall vote for the motion of the Senator from Florida and wish to give my reasons for doing so. Certain things have been established in this debate very clearly, namely, that there is an injustice in our postal rates; and that the second-class matter is not carrying its part of the burden. Just what portions of the second-class matter are receiving benefits or favors or subsidies, call it what we may, is a difficult point in my mind to determine, but I will vote to set aside the rule in order that the whole question may be thrown open and see if we can not reach a just basis. My vote on this question does not indicate my vote on the amendment pending.

Certain it is that the magazines of the country are receiving favors from the Government in transportation that they should not receive. It has been cited here that the distribution through the mail of the Saturday Evening Post is costing the Government something like \$3,000,000 more than the Government receives for the service. That is wrong. I do not know just the way to correct it. There is a difference, it seems to me, between the magazines and the newspapers. I think there should be some differentiation in the newspapers themselves and postal rates. Many of the large newspapers of the country with heavy advertising can carry an increased burden without any difficulty. On the other hand, there are a great many small papers just struggling along, and especially just at this time, educational papers, religious papers, agricultural papers that may have to suspend publication if their rates are raised. I do not know whether that is true or not. If true, it would be very unfortunate; and it is claimed by many of them that it is true.

Of course, the diffusion of knowledge is the argument that is always presented, and it is a strong one. I would be in favor of the Government bearing a very great burden to carry knowledge out to the people, and perhaps to do more in that respect than at first glance might seem to be a proper thing to do. You go into the homes of this country on the farms or the homes of the great mass of the people who toil and you will find they gather around at night and take up the papers. They become acquainted with the events of the day. A home without a newspaper is a pretty barren and desolate place. They are instrumentalities to diffuse knowledge.

When, however, we come to talk about subsidies I think we ought to go a little further and consider how we are subsidizing ourselves in the mails, and whether or not there should be some remedy as to that. You can go by the offices in the Senate Office Building and other places and find sacks and sacks of free material amounting in the aggregate to tons that are going out free into the mails of the country, burdening the mails by the excessive exercise of the franking privilege. If we are going to stop subsidy, we had better stop subsidizing ourselves.

However, I merely rose to say that I shall vote to suspend the rule in order that the whole subject may be thrown open here, and, if possible, that we may reach a fair measure which will place the burden where it properly belongs as to second-class postage rates.

Mr. NORRIS. Mr. President, I was necessarily absent from the Senate during all of yesterday, and have not heard nor had an opportunity to read the debate as it has progressed on the question now pending.

I intend to vote for the motion of the Senator from Florida [Mr. BRYAN]; and yet in the end, if it prevails, and the amendment that the Senator has offered—which I take to be the same amendment which appears on pages 4 and 5 of the bill—is to come to a vote and I am required to vote for or against the amendment without change I shall vote against it.

The amendment consists of two distinct propositions. One is that after the 1st of July next so-called drop letters may be mailed for 1 cent instead of 2 cents in cities where there is delivery of the mail. Of that proposition I have been in favor for several years. It seems to me that a letter mailed in a city, a letter that is not to be carried on the railroads or over a star route, but is simply to be delivered in the city, ought not to require the same amount of postage as do other letters. Certain it is that at the rate of 1-cent postage there would be a very large profit to the Government in the business. I think the estimates which have been made at various times as to the loss are erroneous, because there is no doubt that that change of the law as to rates would vastly increase the number of letters of this kind. Business men in all the cities of the United States would avail themselves of the opportunity which it would present to do a vast amount of business through the mail which they now do through the messenger service. I think it is conceded by everybody that at 1 cent there would be a large profit. So I should favor that proposition under practically any kind of circumstances. It seems to me that it is but justice.

Now, as to the remainder of the amendment, that part which provides for increasing the rates on second-class mail matter from 1 cent to 2 cents, although it takes two years to finally reach that rate, it seems to me that the form of the amendment will not accomplish what those who favor it desire to accomplish. I am favorable to an amendment that would properly increase some of the charges that are made against second-class mail matter. The instance given by the Senator from Iowa [Mr. KENYON] a few moments ago, of the Saturday Evening Post, it seems to me is absolutely unanswerable. The publishers of that paper ought to be required to pay something nearer the actual cost of the transportation which the Government furnishes. It is not right that the Government should subsidize one publication to the vast amount that it is claimed—and, so far as I know, admitted—goes to that publication and to all similar publications. But the amendment proposed by the Senator from Florida and also the amendment proposed by the Committee on Post Offices and Post Roads seek in their effect simply to double the rate, to raise it from 1 cent to 2 cents.

Mr. President, as I look at it, that would simply extend the territory over which the express companies could operate with a profit in the handling of these publications. As I understand, even at 1 cent, a large amount of second-class mail matter is sent by express within reasonable territorial limits of the place of publication. I understand that the publication referred to—the Saturday Evening Post—sends a large amount by express at a rate even less than 1 cent a pound. It seems therefore that the Government of the United States, in carrying second-class mail matter at 1 cent a pound within certain limits, makes a profit on the business. I do not want to make any profit out of this business; I would not complain if there were a small deficit. So it seems to me that when we simply increase the rate from 1 cent to 2 cents we extend the territory over which the express companies can operate. The result will be that the profit of a part of the business will be done by the express companies and the unprofitable part of it will be handled by the Government; in other words, the publisher of a magazine will, of course, patronize the express company—and I am not complaining about that; that is what I would do; that is what any business man would do—wherever he could do that and save money by the operation. So, if we increase the rate to 2 cents, we have simply added to the territory in which express companies can operate; and when it gets beyond the limit where the express company can not carry the papers at a profit, and will therefore refuse to carry them, then the publisher will utilize the United States mails. Therefore, where these publications are carried at a loss, we shall do all the business, and where they are handled at a profit the express companies will do it all.

It seems to me that a fair way to do would be to base the postage upon the zone system similar to the parcel post, and in that connection in the first zone I think it ought to be a decreased rate; it ought to be less than 1 cent. Perhaps it should also be less in the second zone. That would depend, of course, upon the size of the zone; but, at least, we ought to so regulate it that we should get paid in some degree for the amount of work and labor involved in the transportation proposition, which the Government performs. It is not right that we should carry a carload of Saturday Evening Posts from Philadelphia to New York and carry another load from Philadelphia to San Francisco and charge the same rate, the same amount of money in both instances.

It strikes me, Mr. President, that what we ought to do is to reach, if we can—and we can do so, comparatively speaking, of course, not definitely in all conditions, but we can do it in a similar way to that by which it has been done by the Parcel Post Service—gauge the price by the service. No man ought to object to that.

There is another proposition involved in this which I should be glad to meet if we could. I think it might be possible to differentiate between publications that are published for profit and those that are published for charitable or for other similar purposes. The Senator from Mississippi, it seems to me, has well said that the newspapers—and he said it without criticism; and I say it in the same way, without criticism—are not published, at least a large majority of them are not published, as a matter of charity or of philanthropy, but as a financial proposition by the owners and publishers. On the argument that the Government ought to do something toward the dissemination of information, it might be that the Government could afford to pay, or ought to pay, some subsidy. That, I think, is a question that has two sides to it; but it strikes me that when we come to pay the enormous subsidy that the Government is paying for some publications, it is so far beyond reason and justice that it ought not longer to be tolerated.

I shall vote for the motion of the Senator from Florida on the theory that, if the matter comes before the Senate, it will be subject to any relevant and material amendment, and in the hope that we may be able to get out of it something that will be practicable and fair.

Mr. JONES. Mr. President, the first question that will come before the Senate in connection with this matter is the motion to suspend the rules. I do not think that the usual objection to a motion of that kind applies in this case. I think the rule which prohibits legislation upon general appropriation bills is generally a good one and serves a good purpose, but the reason for its application in this case, I think, does not apply.

This is no new question; it is a matter that has been discussed for a great many years. It has been generally conceded that we are paying for the carriage of second-class mail matter many millions of dollars more than the revenue derived from it. I never heard the loss to the Government estimated so high as it has been in this debate; but it seems that the higher figures are based upon reliable information.

Like the Senator from Nebraska [Mr. NORRIS], I would not object to paying something more than it costs the Government to carry these publications. I think they serve a very useful purpose. I do not think it is the intention of the Post Office Department to make money out of the service it renders, but, in spite of all that, the people of the country should not be required to pay such tremendous sums over and above what is derived from the service rendered various publications.

So I hope that the motion to suspend the rules will be adopted, in order that the Senate may have an opportunity, at any rate, to pass upon the various questions involved in this amendment and in the amendments which may be proposed to it. I do not think we ought even to appear to hide behind this rule in order to prevent a vote upon the merits of the question presented. As I have said, the subject has been considered more or less in Congress and out of Congress for a great many years. Commissions have been appointed to investigate it, and one commission especially made a very thorough investigation and reported the facts. The amendment now proposed was prepared by the committee having jurisdiction of this subject matter. The committee has no doubt given it careful consideration, and it brought the amendment into the Senate as a part of the Post Office appropriation bill. It went out on a point of order, and now the committee itself is endeavoring to have it considered under this motion to suspend the rules. So all of the reasons for the application of the rule are really obviated by the conditions and the circumstances under which this motion is made.

The only consideration that makes me hesitate in regard to voting for both of the propositions concerned in the amendment is the present condition of things. If conditions were normal, I would not have any hesitancy about voting upon the substance of these propositions. I might like to see one or two changes or amendments made in some respects; but as to the merits of them, the principle of them, and the substance of them, under normal conditions I would vote for them without any hesitation whatever. I hesitate to vote for a proposition to reduce postage rates on certain first-class matter to 1 cent because of the effect it would have upon the revenues. It seems to be conceded generally—not by all, but by many—that it would involve a loss in our revenues of possibly \$15,000,000 or \$20,000,000. That is a very serious matter at the present time and under present conditions.

Then it is claimed by those who know that the conditions under which the newspaper and magazine publishers are working are very bad, almost desperate, and that to increase the postal charges, even by so small an amount as it is proposed to increase them by the amendment, will work very great hardship. These, however, are questions that we can consider upon their merits, and will be open to consideration if we suspend the rule. In order to get the matter before the Senate, in order to have an opportunity for us to vote one way or the other upon the different propositions and pass upon them on their merits and that the Senate may take a position upon them, I myself am going to vote for a suspension of the rule, without indicating especially how, under the peculiar circumstances, I shall vote upon the different propositions.

In line with the last suggestion of the Senator from Nebraska [Mr. NORRIS] in regard to a zone system with reference to second-class mail matter, which appealed to me somewhat, I desire to ask the Senator in charge of the bill whether that has been given consideration by the committee? In that connection I will read a telegram which I received this morning from one of the leading newspaper men of my State:

SPOKANE, WASH., February 12, 1917.

Senator W. L. JONES,
Washington, D. C.:

Proposition for blanket increase second-class postage to 2 cents destructive to all local publishing enterprises. Unjust to carry competing publications from points 2,000 or 3,000 miles away into our territory at same rate charged us for 25 or 50 miles in our immediate field. If increased rates necessary, zone system only fair method. Government now makes profit on short haul on local publications at 1 cent pound; loss is on long haul.

W. H. COWLES,

For the Washington Farmer, the Oregon Farmer,
and the Idaho Farmer.

It seems to me that there is considerable force in the suggestion contained in that telegram, and I should like to ask the Senator from Florida what consideration the committee has given to that phase of the subject?

Mr. BRYAN. Mr. President, I intend to refer to that before the debate is concluded.

Mr. JONES. Very well. Then the Senator can state that when he makes his address. I think I have said all that I care to say at this time. I believe we ought to have an opportunity to vote on the merits of this proposition and not suppress it by voting against the motion to suspend the rules.

Mr. SMOOT. Mr. President, I have never voted to suspend the rules for the purpose of placing legislation upon an appropriation bill. Since I have been a Member of the Senate I have refused to do so whenever that question has been before the Senate of the United States. I have said on several occasions that the only condition under which I would vote to suspend the rules in order to put legislation on an appropriation bill would be in the case of legislation of vital interest to our country requiring immediate consideration. I see no reason, Mr. President, why I should change my position, and I make this statement so that my vote will not be misunderstood on this or any other motion made to suspend the rules. I should not vote to suspend the rules even if I were deeply interested in the subject matter, and therefore, Mr. President, under the statements I have made in the past, which position I maintain to-day, I shall vote against the suspension of the rules in this instance.

Mr. SMITH of Georgia. Mr. President, I undertook on yesterday to call attention to some of the objections to the proposition which comes from the Post Office Committee, but if I presented my views as unsatisfactorily as I find them in the Record they carried but little impression to those who heard them.

I am opposed to suspending the rules to consider this subject, because I do not think the Post Office Committee has presented us a proper mode of handling it. I believe that we ought to change the rates, at least as to quite a large part of second-class mail matter; but the rates should be increased based upon the service rendered to the various publications and the cost to the Government of that service. The difficulty about the suggestion which comes from the committee is that it provides a uniform increase of half a cent a pound the first year and then of a cent the second year, without regard to the service rendered or the cost to the Government.

As I sought to bring to the attention of the Senate on yesterday, there are two elements of cost to the Government incident to the handling of second-class mail matter. First, the handling proper; that is, the handling at the place where the mail is received, the handling incident to the collection from the boxes, the handling in the post office, the handling on the train, the handling at the office of destination, and the handling out of that office by carriers to the parties to whom the mail is directed. That is one element of the expense. The other is the cost of the haul from point to point, which the Government is called upon

to pay to the railroad companies. Until recently the Government paid the railroad companies a flat rate per pound for the haul. Now I think the rate is computed by space, but I suppose, computed by space, it is practically the same as it was by pound per mile.

The cost to the Government under the old system was a cent a pound for approximately each 200 miles hauled. I think I am right about that. I will inquire of the Senator from Florida [Mr. BRYAN] if that is not correct?

Mr. BRYAN. I am not sure. I have sent to get the figures. Mr. SMITH of Georgia. It was approximately that; it was perhaps a little over 200 miles that a pound was hauled for a cent by the railroads. Now, if the haul was the only expense to the Government for the transportation of a particular kind of second-class postal matter, then it did not cost the Government a cent until the haul had reached a distance of at least 200 miles.

There is a class of publications which the Post Office Department informs me has an average haul of 907 miles. The average newspaper published in the smaller cities—I do not mean the great metropolitan papers of New York and perhaps of Chicago and one or two other large cities, but the average haul of the average daily paper is less than 100 miles. That paper puts a burden of only half a cent on the department for the haul, even if the average haul be a hundred miles, while publications such as the Ladies' Home Journal, the Saturday Evening Post, and Colliers—so I am advised by the Post Office Department—have an average haul of 907 miles. Those are the figures given me by the department. The average cost to the department to haul them, therefore, is at least nine times as much as the average cost of the paper in Iowa, Indiana, Georgia, New Jersey, Maryland, Nebraska, or Kansas, and nine times as much cost for haul falls on the department from many publications as falls upon the department from the average daily newspapers. What I object to in the proposition of the committee is that it makes no distinction in its proposed increase of rates based upon the cost to the department of the service rendered.

Again, a large part of the service rendered to the daily papers in the States, other than the few great metropolitan papers, is nothing but haul. As a rule, the newspapers in the cities of ordinary size, and I suppose in the very large cities, have their own mailing departments in their own buildings. They employ men expert in preparing their mail, just as they do in the post office, and those experts in the office of the newspaper make up the newspaper mail. The Government has nothing to do in the post office of the place from which the newspapers start with the expense of the preparation of the newspapers for their journey. The Government furnishes the newspaper mail bags just as they are used in the post office; and expert mailing clerks, paid by the newspaper, in the offices of the newspaper, classify the papers, route the papers, and wrap them in separate packages. The newspaper proprietors do all the work preparing the newspapers for shipment, which as to ordinary mail is done in the post office.

I know, as to some papers with which I am familiar—growing out of the fact that at one time I was considerably interested in a daily paper, though I have no interest in any newspaper now—that newspaper companies, after preparing their papers for the mail and putting them, properly classified, into a mail pouch, transport them with their own machines to the train, and, as a rule, put them into the mail coach. The men in the coach simply take the pouch and throw it off at the station to which it is destined, and there again employees of the paper take the pouch and distribute the papers to their carriers—not postal carriers but newspaper carriers—who at once distribute the papers throughout the cities. I do not mean that this practice is universal among newspapers. I know this practice prevails on some papers.

Of course, where the mail goes out on rural routes to the country, then the paper would receive from the Post Office Department the services of the rural distribution throughout the country. But as to a large part of the service rendered to the newspapers in the States such as I have mentioned, the haul is all that the Government does for the paper, and that haul does not average 100 miles, and the cost of that haul to the Government is not over half a cent, while, on the other hand, the magazines that go across the entire continent, a 3,000-mile haul, cost the Government 15 cents a pound for the haul. The newspaper with which I am illustrating costs a half cent, and the magazine with which I am illustrating costs 15 cents just for the haul.

I object to the report of the committee, because I do not think it discriminates properly between the different classes of publications, and I think it puts upon one class a burden in excess of the cost to the Government of the service rendered.

I think no system should be adopted which does not take into complete recognition the increased cost to the Government from the length of haul, and that just as in the parcel-post service we have zones of charges, so in this second-class postal service, where weight is a great element of the expense to the Government, and where length of haul fixes the cost of the haul, the length of the haul should be fully considered in connection with the charge by the Government. There ought to be, perhaps, a zone of 50 miles with a certain charge, and another zone of 200 miles; but a zone system, with increasing charges for increasing distance, is the only fair plan, the only equitable plan, by which to fix these charges. I am in favor of increasing them where the Government has had a loss, but I am not in favor of increasing them where the Government has not had a loss.

I desire, Mr. President, to send to the desk as a part of my remarks a telegram from the Christian Herald of New York, a telegram from the managing director of the Agricultural Publishers' Association of Chicago, and I will read a telegram received from Chattanooga, Tenn.:

CHATTANOOGA, TENN., February 12, 1917.

HON. HOKE SMITH,
Washington, D. C.:

Executive committee of Southern Newspaper Publishers' Association in session here to-day begs to bring before you fact that newspapers already have had great burdens placed on them by enormous increase in cost of white paper and in all other expenses of publication. Hundreds have been forced out of business, and others probably will be if additional burdens are imposed. We protest against proposed increase of pound postage under bill reported by Post Office Committee in Senate. Subscriptions paid for largely in advance and with no anticipation of such an increase in postage. If advance is found absolutely necessary on second-class postage, we believe zone system to be fairer and will not impose such unjust burdens.

Robt. S. Jones, president the Citizen, Asheville, N. C.; F. G. Bell, first vice president of the News, Savannah, Ga.; D. D. Moore, second vice president the Times-Picayune, New Orleans, La.; Walter C. Jones, secretary-treasurer the News, Chattanooga, Tenn.; Victor Hanson, Birmingham (Ala.) News; E. M. Foster, Nashville (Tenn.) Banner; C. B. Johnson, Knoxville (Tenn.) Sentinel; Jas. H. Allison, Nashville (Tenn.) Tennessean; A. F. Sanford, Knoxville (Tenn.) Journal and Tribune; G. J. Palmer, Houston (Tex.) Post; W. T. Anderson, Macon (Ga.) Telegraph; W. A. Elliott, Jacksonville (Fla.) Times-Union; Robt. Latham, Charleston (S. C.) News and Courier; Elmer Clark, Little Rock (Ark.) Democrat; W. E. Thomas, Roanoke (Va.) Times; W. B. Sullivan, Charlotte (N. C.) Observer.

The PRESIDING OFFICER. What does the Senator wish done with the telegrams he sent to the desk?

Mr. SMITH of Georgia. I wish them printed as part of my remarks. I do not care to stop to have them read.

The PRESIDING OFFICER. In the absence of objection, it will be so ordered.

The telegrams are as follows:

NEW YORK, February 12, 1917.

HOKÉ SMITH,
Washington, D. C.:

Can not protest too strongly against increase in postal rate at this time. Increased cost of paper and other manufacturing necessities threaten to cause many publications to suspend. A few rich corporations might be able to stand an increase, which would create for them a monopoly, because their poorer competitors would be put out of business. Very few religious publications are now able to make ends meet. If they are compelled to pay the increased rate, it will be impossible for them to survive.

THE CHRISTIAN HERALD.

CHICAGO, ILL., February 11, 1917.

HOKÉ SMITH,
United States Senator, Washington, D. C.:

We represent over 7,000,000 farmer subscribers to high-grade farm papers, and in their behalf and in behalf of our already overburdened publishers, we vigorously oppose any disturbance of existing postal rates for second-class matter at this time. No one is now qualified to foretell the future. Wait until conditions are normal, then reorganize entire system. Give us a chance to be heard. Change now would work great hardship to all and ruin to many, and would not bring a gain to the Government.

FRANK B. WHITE,
Managing Director, Agricultural Publishers' Association.

Mr. SMITH of Georgia. Mr. President, Senators have said that they could not be driven into opposition to this increased rate. I hope no Senator could be driven against his judgment into any vote. I hope every Senator exercises his own judgment, is guided by it, and follows it.

It is because, as a matter of fact, I believe the increased rate unjust to a certain class of publishers I am opposed to it. It is because I believe that if the recommendation of the committee be adopted we will place upon some publishers a charge in excess of the cost to the Government of carrying their publications, and upon others we will place an increase that does not approximately reach the charge to the Government of carrying their publications, that I am opposed to it.

I think the plan is not equitable; that it is not fixed to meet the facts; and it is the facts with reference to the mode in which these varying publications place a charge upon the Post

Office Department that I bring to the attention of the Senate and urge as a reason why this uniform increase does not meet the needs of the situation.

I believe we should undertake to bring this second-class postal matter to rates that will substantially make each publication bear the charge which the distribution of its matter places upon the Post Office Department; but certainly we ought not to load down those who are now paying for all the Government does for them to meet the excessive contribution by the Government to others that do not approximately pay the expense they place upon the Post Office Department.

Mr. CURTIS. Mr. President, I shall detain the Senate only a minute. I have received a large number of telegrams and letters opposing an increase in the postage on second-class matter. I have not submitted them for printing in the RECORD because other letters and telegrams of like character have been printed, and I thought it was unnecessary.

Personally I am opposed to the increase of postage on second-class matter. I mean by that the proposed amendment as it now stands. I think second-class matter should be classified, and that newspapers, religious, fraternal, and other magazines composed largely of reading matter should be placed in one class and that magazines that are issued largely for advertising purposes should be placed in another class and should pay a larger rate of postage. If an amendment of that kind were prepared by the committee I would gladly support it. I am in favor of reducing the postage on drop letters to 1 cent. I think that should be done, and if I had a chance to vote upon that amendment separately I should vote in favor of it.

Before I close I desire to read a telegram which I have received, stating that the Kansas Editorial Association, at the annual meeting held at Topeka, Kans., on January 27, which was the largest meeting of editors ever held in the State, adopted by unanimous vote resolutions opposing the increase in rates. Of course the reasons for their objecting to the increase in rates have been stated here time and time again, and they object to it at this time especially because of the increased cost of print paper. There is not a Member on this floor but who knows that many of the smaller papers are having a hard time to get along because of the increase in the price of print paper.

I am going to oppose the motion of the Senator from Florida to suspend the rules, because I believe it is unwise to suspend the rules to put general legislation upon an appropriation bill.

Mr. SHEPPARD. Mr. President, I am in favor of 1-cent letter postage as an independent proposition. I am not in favor of it, however, at the expense of religious, agricultural, and fraternal publications, many of which have a Nation-wide circulation and afford the masses of the people the only opportunity they possess of keeping in touch with national affairs, and many of which are circulated almost, some entirely, at cost.

It may well be that the rates on certain forms of second-class matter should be increased. I am not in favor, however, of making the decrease in the rates on first-class matter dependent on an indiscriminate increase of the rates on second-class matter. I think it unfair to the great movement for a decrease in rates on first-class matter for 1-cent letter postage to make it dependent on and to tie it up with a proposition for a general increase on all forms of second-class mail matter.

Mr. FERNALD. Mr. President, I had hoped that I might remain in my seat the entire session. It was not my intention to rise to discuss any proposition that might come before the Senate during the session. But when a hardship is about to be inflicted on any industry or enterprise in my State, I feel it a duty to rise and oppose the proposition.

I am opposed to the suspension of the rules in this case. I have listened with a great deal of interest to the remarks pro and con on this question. I happen to come from one of the rural communities which have been mentioned by some of the Senators on the floor. I know something about the post-office regulations in those communities of farmers; and I realize, as every Senator here does, that since we increased the post-office service by rural carriers, to every farmer comes the daily paper every morning, as sure as the sun is to rise. I assume that the founders of this Republic never intended to make the Post Office Department a money-making proposition. There are other departments connected with this Government that are not money-making propositions, but I can conceive of none which gives such tremendous facilities to all the people of the entire country as those offered by the Post Office Department.

I think I know something about the rates connected with this department. The Senator from Georgia [Mr. SMITH] only yesterday, and again to-day, told you of the rates that are charged by the great railroad and transportation companies of this country, and I know that the figures presented and offered by

the commission must be tremendously misleading. As a matter of fact, those figures were made up or reckoned by the pound of postal matter carried. Now, every Senator here knows that every star route in this whole country is not leased or let out by the pound, but it is so much per trip, and the man must go whether he carries any second class matter or not.

Now, what happens to the rural post offices? In the first place, the fourth-class postmaster gets his revenue from the cancellation both of the first and the second class matter. The Government does not have any extra expense incurred upon it by that postmaster. The only charge is in the carriage; and, Senators, the man gets his pay for the carriage whether he carries any postal matter of the second or third class or not. He is obliged to make his trip. He is paid so much per trip for going and carrying whatever mail there may be. So in that instance the Government has no extra charge; and I am very much in doubt about these figures that it costs the Government \$88,000,000 for second-class matter. They have been proposed because of a pound rate, so termed. Now, suppose that from a small rural community there were sent eight letters weighing altogether a pound, or 2 ounces each, and in that same mail there were 19 pounds of second-class matter. The carrier would get \$3 for his trip of 20 pounds. According to that proposition, the Government would be charged up with \$2.84 for the 19 pounds of second-class matter as against 16 cents for the first-class matter. It is an unfair and absurd proposition, so indiscriminating that I consider it exceedingly unjust.

The Senator from Georgia has told you in the Senate of the expense of the carriage per hundred miles. Now, Senators, if a package were to be sent by express 600 miles the charge would be less than 2½ cents per pound. These papers are put up in bundles, as you have heard so often here this afternoon. They are sent without any extra charge by the postmaster; they are delivered to the train; and from the train delivered at its destination to the carrier without any charge to the Government, so far as postmasters' charges may be concerned.

Why, Senators, if you wish to build up the greatest monopoly that was ever known in this country, vote for this proposal, because we are all going to read. The fact that a few small daily papers which disseminate knowledge to all the rural communities in this country are put out of existence will not stop us from reading. It is a matter of which we are all exceedingly proud that every farmer in the rural community may read his morning daily paper. It has its great moral, political, and religious influence upon this country of ours; and I believe the founders of this Republic intended that the dissemination of knowledge should be made so cheap and so low that everybody could have his magazine and morning paper.

I am willing to admit that it is quite necessary to have a difference between daily papers and magazines which go for many miles. I am ready to admit that there ought to be a difference; but I am not willing to suspend the rules to bring this matter, in such a crude form, before the Senate.

As I say, Senators, it has been the judgment of the people in the past few years that we ought to avoid building up monopolies; but if you put the small papers out of business—which you are sure to do under this proposal—you will build up great newspapers in this country that will have a monopoly of the entire field. Instead of having the hundreds of daily papers which may be sent to the farmers and rural communities around home, you will have a few large papers; and after the field is cleared the 2-cent papers will be made 5 cents, and then you will have built up here just what we are all trying to avoid.

I am opposed to this proposition, and I shall vote against suspending the rules.

Mr. CUMMINS. Mr. President, I have been disposed to favor the motion made by the Senator from Florida [Mr. BRYAN]; but I do not intend to vote for it because I accept the report of the department with regard to the cost of performing the service with respect to the second-class mail matter. I intend to vote for it because I think that an appropriation bill is the proper place to legislate upon this subject; for if we do not readjust our system upon an appropriation bill the chances are that we never will readjust it, in view of the constant pressure we observe in Congress. I do not vote for it because I am at all satisfied with the readjustment proposed by the committee. I think it is inadequate. I think it is based upon misinformation and does not place the burden where it should be placed.

I do not believe in the theory that each class of the mail should not be compelled to sustain its own cost, for there are a great many other considerations which enter into the service rendered by the Government in the distribution of the mail.

When the Senator from Florida alleges that the Government lost last year \$85,000,000 or something like that in the transmission of second-class mail matter, I know that he does it upon the estimate of the department; but he has only to examine that estimate in its details to know that it is founded upon a theory that no reasonable man can accept. I dwell on that particular subject for a moment because if this motion be adopted I intend to contribute what little I can toward a fair and reasonable readjustment of the various classes of our mail matter.

This matter has been investigated a great many times, and I beg to state how, as I am informed, the conclusion stated by the Senator from Florida is reached. In the first place the department—and I am not speaking of this particular administration, because the same error was made in even a more exaggerated form by a prior administration—the department endeavors to ascertain what the Government pays the railways of the country for the carrying of mail. These payments are made, as everybody understands, according to weight, with a very slight modification. Possibly 10 per cent or 5 per cent of the entire payment is determined by either space or in some other way than by weight, but practically speaking the Government pays the carriers of the country according to the weight of the mail without any regard to the service performed by the railway companies or the cost to the railway companies for a particular class of the service. In that way it ascertains the cost per pound, so far as the railway compensation is concerned, and charges up each pound of mail matter carried according to that computation. There then remains what might be called the overhead cost, the cost of maintaining the Post Office Department in Washington, the cost of conducting all the post offices of the country, the railway-mail clerks, the rural-route carriers, and all other expenses incident to the conduct of the department.

I have not examined the particular estimate made recently upon this subject, but formerly at least this entire cost was then divided among all the pounds of mail carried throughout the year, and, with some allowances which were obviously demanded on account of the peculiar service rendered in the letter department, the cost of handling a pound of mail is the result. The number of pounds carried in the second-class service is known, and thus is determined the entire cost of that service.

Just to show how uncertain the department has been in that respect I read a brief extract from a report made by a Joint Committee on Postage on Second-Class Mail Matter and Compensation for the Transportation of Mail, which was made a public document August 31, 1914. This committee was a joint committee of which I think originally Senator Bourne, of Oregon, was the chairman. After examining a great many subjects pertaining to railway pay I find in Chapter XI this statement:

While we regret to criticize any branch of the Government—

He was not speaking expressly of the present administration; he was speaking of a former administration, and therefore I can use it without any charge of political prejudice.

Mr. BRYAN. Does not the Senator from Iowa think there is a little irony in the statement he has just read, of which the author was Senator Bourne, that he regretted to criticize the department?

Mr. CUMMINS. I know the former Senator from Oregon very well and I have never thought that he was addicted to irony. He always seemed to me to be very direct and earnest in all his statements. I read again:

While we regret to criticize any branch of the Government and it is unpleasant to believe that public business affairs are carelessly conducted, yet we believe that the country and Congress are entitled to know the facts. We would hesitate to discuss this subject, if our own experience were unique—

I may say that this part of the report receives the approval of all the members of the committee, as I understand it.

Mr. BRYAN. No; if the Senator will look he will see that several members agreed only to a certain part of the report.

Mr. CUMMINS. I think a majority of the committee joined in this part of the report:

We would hesitate to discuss this subject, if our own experience were unique, but in the course of our work we have learned that other commissions which have studied postal problems have had similar experiences and that the formation of satisfactory conclusions by them was made difficult or impossible by the unreliability and inadequacy of statistics furnished by the Post Office Department regarding its own activities.

As already stated herein, the subject of railway mail pay was studied by a congressional commission from 1898 to 1901. While the result of that commission's work was under consideration in the House, Congressman Moody, of Massachusetts, afterwards justice of the United States Supreme Court, declared in an address in the House of Representatives that during hearings before the commission the Post Office Department submitted statistics showing that the railroads were paid on an average 6.58 cents per pound for transporting mail, averaging 40 cents per ton-mile, with an average haul of 328 miles, whereas a special weighing demonstrated that the average payment was, in fact,

2.75 cents per pound, averaging only 12.56 cents per ton-mile, with an average haul of 438 miles. Commenting upon these statistics, Congressman Moody said:

"In other words, we were not paying one-third as much as the Post Office Department had led the people of the country to believe we had been paying."

Very similar was the experience of a commission appointed in 1911 to investigate the subject of postage on second-class mail matter, of which commission Justice Hughes, of the Supreme Court, was chairman. Repeatedly the statistics submitted by the Post Office Department were shown to be erroneous, and the department changed its figures when compelled to do so by the demonstration of their inaccuracy. So numerous and so glaring were the errors that the commission commented upon some of them as follows:

"It seems hardly worth while to include subsidiary tables from which these results are taken or to criticize the details, as the commission has little confidence in their accuracy."

The Hughes Commission also said in its report, in commenting upon the effort of the Post Office Department to present statistics showing a proper apportionment of general post-office expenses to the different classes of mail:

"In view of the errors and inconsistencies in which the returns of the post offices abound (we do not extend this report to review them), our examination has convinced us that the computation is not sufficiently accurate to base an apportionment of the cost of the general post-office service."

I read this extract from the report which I have named, not so much to criticize the department as to furnish a basis for the statement which I make without any fear of successful contradiction. It is utterly impossible for the Post Office Department to determine how much it costs to transact the business relating to any particular class of the mail. The very best that can be done is to make an estimate with regard to each part. I have no doubt the estimates are made in good faith, but in my judgment—and I have given some study to the subject at a former time, indeed, not now—the estimate with regard to the second-class mail matter generally is exaggerated, and when it is applied to particular classes of second-class mail matter it is absolutely unfounded and necessarily misleading.

I would not comment upon this at this time and upon this motion were it not for the fact that I intend to vote for the motion, and I want it distinctly understood that when we enter upon the work of readjusting the postage upon letters and upon second-class mail it is a serious undertaking and will require a great deal of time and much consideration if we do it justly and intelligently. I do not believe in reducing letter postage to 1 cent unless all letter postage is reduced. If I must choose between drop letters and general letters, I am in favor of reducing the postage upon general letters instead of drop letters, for those who are least able to bear the burden will receive an advantage in the reduction of postage generally far more than in a reduction in drop letters. Everybody knows with regard to drop letters that those who will be principally benefited are the large business institutions, the banks, the great factories, and other institutions of that kind which deposit regularly in the mails vast number of letters for distribution either in the city in which such an institution may be located or in the immediate vicinity.

Mr. BRYAN rose.

Mr. CUMMINS. Does the Senator from Florida desire to interrupt me?

Mr. BRYAN. I merely wished to ask the Senator a question before he got too far away from the discussion of the estimate of the department. The department states that the receipts from second-class mail matter amounted to eleven million three hundred and some odd thousand dollars. The Senator does not question that statement. The department can easily ascertain that.

Mr. CUMMINS. I would think that could be easily ascertained.

Mr. BRYAN. That could be easily ascertained, of course. Now, the Senator has not any doubt, whether the estimated loss is \$80,000,000 or not, it is a great sum, amounting to much more than the receipts?

Mr. CUMMINS. I was about to say that. Leaving for the moment the question of reduction in postage on letters, and I have said all I desire to say upon that, notwithstanding the inaccuracy and unreliability of the estimate with regard to the cost of performing the service relating to second-class mail, I have no doubt that we are performing this service for much less than we are receiving for it.

Mr. BRYAN. The Senator from Georgia [Mr. SMITH] stated that it cost 1 cent to carry 1 pound of second-class mail matter 200 miles, and that it cost that before certain increases on account of the parcel post were allowed by the department. It is more than 1 cent now. It is a small fraction, it is true, but that small fraction when applied to tons makes a considerable difference. The fraction given—I think it was figured out; in fact, I am sure it was—was thirty-two one-thousandths. If the Government only got the \$20, as it would under the 1-cent rate, it would lose 64 cents on every ton, and when carried into the enor-

mous amounts of second-class mail we would find even that small fraction of a cent would amount to many millions of dollars.

Mr. CUMMINS. Mr. President, I do not dispute at all the correctness of the figures just given by the Senator from Florida.

Mr. BRYAN. Just one word further. If the Senator from Georgia is correct, he showed that for the transportation alone there would be a large deficit. The transportation of railroad freight is not the whole of this cost by any means. It is a small part of it.

Mr. CUMMINS. But, answering the statement just made by the Senator from Florida, I beg that he will remember that the cost of transportation to which he refers contemplates a haul of 200 miles, very much beyond the average haul of newspapers.

Mr. BRYAN. The Senator referred to the report of the Bourne Commission. I think it was a very able commission and it made a very able report. The report of that commission referred to the report of the Hughes Commission. The Hughes Commission states that the average distance the daily newspapers are carried throughout the country—of course, speaking of them altogether—is more than 200 miles.

Mr. CUMMINS. I do not so understand the report of the Hughes Commission.

Mr. BRYAN. I do.

Mr. CUMMINS. If the Hughes Commission did so state, it adopted an erroneous plan for the computation of averages. It did not include the number of papers distributed, I am sure, because that would be contrary to the observation of every Senator.

Mr. BRYAN. I was surprised that it was so great a mileage, but I have no reason to question the report prepared by men admittedly of the character of the gentlemen composing the commission.

Mr. CUMMINS. I am not able to refer to the part of the Hughes Commission report that deals with that matter. It is before me, but it would require more than the report of the commission to convince me that the average transportation of the daily newspapers of this country was as great as 200 miles.

But, Mr. President, that possibly would be better dealt with at a little later time. I agree with the Senator from Florida that the whole subject of second-class matter ought to be now dealt with, and he is proposing that it shall be now dealt with. I do not agree with him, first, that all kinds of second-class matter should be made self-sustaining, for I think there is a great public consideration that must determine in some degree the postage that should be charged for the service. I think there ought to be at least five different classes in the matter now embraced in second-class matter, and we can not deal with the subject justly unless we do divide it into something like five separate classes.

Mr. VARDAMAN. Mr. President—

The PRESIDING OFFICER. Does the Senator from Iowa yield to the Senator from Mississippi?

Mr. CUMMINS. I yield.

Mr. VARDAMAN. If the motion to suspend the rules should prevail, I hope the Senator will present his ideas in the form of an amendment and give us an opportunity to correct the defect which he has outlined. I think it is a matter that ought to be thoroughly and exhaustively discussed. Now is the time, as the Senator says, to settle it.

Mr. CUMMINS. I think so, and for that reason I intend to vote for the motion. I have no doubt it will require several days to settle this matter as it should be settled, but that makes no difference. We ought to settle it, and I think we might as well settle it now as at any other time.

The first division of the second-class matter should be the county newspapers. I understand that it is not proposed to change the law with regard to them. Why, Mr. President, are the county newspapers, with their circulation within the county, relieved of all burden of postage? I want Senators to ask themselves that question. It will be easily answered. We have relieved them from all the burden relative to the distribution of the mail, because we believe their existence is essential to the welfare of the people of the various communities of the country. Have you any reason to doubt it? Is there any Senator here who desires to change the policy of the country with regard to them? Yet in the language of my friends from Mississippi and from Florida we are subsidizing the county newspaper every year by contributing for the distribution of their papers a large sum of money, how much no one knows. I for one believe that the public welfare can not be better promoted than by continuing this policy.

We pass to the divisions, and these ought to be distinct classes, not all grouped as second-class matter. The second-class is, of course, the daily newspapers, which are usually published in the larger cities, but there is not a single con-

sideration which has led us to give county newspapers free circulation that does not apply in some degree to the daily newspaper. We have never intended that they should pay the entire cost of that service. Why? Because they are doing a part of the work which the Government is bound to do. It is rather difficult to tell just how much of the work, but they are doing just the same sort of work that the instructors whom we send out from the Agricultural Department and from the Department of Commerce, the educators in every field, and whose compensation and expenses we pay. They are doing in part that work; they are the allies of good government; and without them it would be utterly impossible for us to sustain our Government for a half decade. Therefore this consideration ought to be taken into account when we determine the postage which they should pay in order to secure the widest circulation.

Nor is it any answer that they occasionally circulate a falsehood, that they occasionally misrepresent what takes place here or what takes place elsewhere. There are some men in the newspaper fraternity who may be utterly unworthy, but that does not impeach the general standing of the newspapers or the general value of the work which they are performing. That is the second class.

Now, the third division, and it is a distinct class, are what might be called the publications of societies and organizations which have been brought together for mutual help, mutual advantage, mutual upbuilding, the fraternal orders, and all such associations of men and women who are doing a purely altruistic work, who have no hope of profit. Their publications ought to be distributed by the Government for less than it costs the Government to distribute them. They are also doing a work without which the Government would find it difficult to pursue the even and peaceful tenor of its way.

The fourth division would be composed of the periodicals and the magazines which are of real value, which are filled with real instruction, in which literature of real merit can be discovered even though they are published with the hope and with the expectation of profit. That is the fourth class; and I think it ought to bear the expense incident to the circulation or the distribution of their material, although it be very worthy material.

Mr. CLAPP. Mr. President—

The PRESIDING OFFICER. Does the Senator from Iowa yield to the Senator from Minnesota?

Mr. CUMMINS. I yield.

Mr. CLAPP. Ought there not be and might there not be made a still other line of distinction in the latter class the Senator has referred to, between those which contribute to information. Take, for instance, the agricultural journals. They are putting out the same kind of information we are putting out through the publications of the Department of Agriculture. It seems to me that there ought to be, under the analysis the Senator has made, at least five classes instead of four.

Mr. CUMMINS. I am coming to another class.

Mr. CLAPP. Is it within those fields?

Mr. CUMMINS. The class I have in mind will not embrace the suggestion of the Senator.

Mr. CLAPP. That is what I was getting at. Among those classes which appeal for special consideration it strikes me that, as to the fourth class enumerated by the Senator, an effort should be made to divide that into two classes.

Mr. CUMMINS. That may be possible, Mr. President, and the suggestion is well worthy of thought, but I had believed that with regard to these publications, worthy as they are, the fact that they were being published for profit might require them to pay to the Government the cost of distribution.

Mark you, I am not suggesting that there shall be put on that class the deficit, if there be one, created by carrying the other classes at less than the cost of carrying them.

The fifth division, and it ought to pay a very high rate, if it ought to go as second-class mail matter at all—which I very greatly doubt—comprises those publications which are issued chiefly for advertising, their main purpose being to advertise the industries of the country or the commodities of the country, and the reading matter being entirely secondary and usually entirely worthless as well.

Mr. CLAPP. And often worse than worthless.

Mr. CUMMINS. And, as the Senator from Minnesota suggests, oftentimes not only valueless but vicious. Those are the classes into which we should divide second-class mail matter, in my judgment.

I have taken this opportunity to mention the subject at some length because, if the motion is sustained, as I hope it will be, then the Senate will gather itself together for a serious and responsible work and will undertake to revise our postal regulations upon second-class mail matter so that justice will be

done not only as between second-class mail matter and first-class mail matter, but as between the various natural classifications of second-class mail matter.

The Senator from Florida has been upon the Post Office Committee for a good while; there is not a man in the Senate who has more information upon the subject than has he. That committee has been inundated with evidence and testimony and showings, and a great many plans have been put before it, as I know, and the Senator is probably already equipped to lay before the Senate some one of these plans which will meet his real opinion concerning this division which we are now asked to make. So I hope, if the subject is opened up, that he will give us the benefit of the conclusions which he has formed through a long and valuable service to the Senate and to the Committee on Post Offices and Post Roads.

Mr. BRYAN obtained the floor.

Mr. ROBINSON. Mr. President—

The PRESIDING OFFICER. Does the Senator from Florida yield to the Senator from Arkansas?

Mr. BRYAN. I yield.

Mr. ROBINSON. I shall vote for the motion to suspend the rules in order that the Senate may have an opportunity of readjusting the rates on both first-class and second-class mail matter. I think it is impossible to determine exactly the cost of carrying second-class mail matter; but it has been admitted in the course of this debate that the Government is losing a large sum by reason of its carriage of the second-class mails at the present rate. It is also making a great profit out of the first-class mail. No one advocates imposing upon second-class mail all the expense incident to its carriage, but it does seem to me that if a readjustment can be made without great difficulty, it will meet the approval of all fair-minded people and will do no injustice to anyone.

It is absurd, it seems to me, Mr. President, to say that merely because this question has long been a mooted one we should not deal with it. During the last 15 years at almost every session of Congress which I have attended this question, in one form or another, has arisen, and it will continue to arise until Congress takes some action which the public believes to be founded upon good conscience and fairness.

It does seem to me that a distinction should be made between newspapers and some other kinds of second-class mail matter. I do not believe that the amendment proposed by the committee is acceptable in its present form; but if the question is opened—and it can only be done by carrying the motion to suspend the rules—I hope that the Senate may be able to apply itself to the subject with an intelligence and diligence which will promptly produce a provision which will be satisfactory to fair-minded people.

Mr. CHILTON. Mr. President—

The PRESIDING OFFICER. Does the Senator from Florida yield to the Senator from West Virginia?

Mr. BRYAN. I yield to the Senator.

The PRESIDING OFFICER. The Senator from West Virginia is recognized.

Mr. CHILTON. I desire to speak only for a moment, Mr. President. I see by the calendar of the business of this body that there are 16 appropriation bills to be dealt with during this session. Of that number this body has acted upon 7, leaving 9 that have not yet been passed, 1 of them being now under consideration, and 8 of them having received no consideration whatever. In addition to that, we have what is known as the revenue bill, which was reported to the Senate to-day. We also have notice from Members of this body that that bill is to be discussed somewhat at length.

We have, in addition, the bills which are known as the preparedness bills, of which the Senator from North Carolina [Mr. OVERMAN] has charge, that are to be more or less debated in this body. We have an Executive Calendar which now does not reach merely into the scores, but into the hundreds, of names, a matter as to which I do not want to speak in open session further than to state that one fact.

We have in all, after to-day, but 19 days until this session shall close. There are 3 Sundays which will intervene, leaving but 16 working days. There are at least parts of two days which have already been set apart, under custom of the Senate, to memorial services in honor of departed Members of one or the other body.

Mr. GALLINGER. Mr. President, the Senator from West Virginia omitted to mention one other bill, which will doubtless excite a good deal of debate, and that is the river and harbor bill.

Mr. CHILTON. That was included in the 16 appropriation bills to which I referred.

The PRESIDING OFFICER. And there is also the Porto Rican bill.

Mr. CHILTON. And the Chair reminds me—for which I thank him—that there is the Porto Rican bill. Each one of these bills has in it a good-sized fight and debate.

Mr. President, the pending subject has been debated enough on this floor to convince all of us that it is of such importance to the country that to consider it from any standpoint will of necessity require extensive debate. It is necessary, in order that all of us may explain our votes as to each feature of the matter, that it should consume much time. It is apparent to all of us, from what has been said, especially by the distinguished Senator from Iowa [Mr. CUMMINS], that this is a most important subject, and that we ought not approach it without that kind of information which, in my judgment, the Senate should have to dispose of so far-reaching a subject.

For these reasons, Mr. President, I intend to vote against the motion to suspend the rule, and to oppose it in every way I can. I do not believe that we have the time or that we have the information to decide the matter now. I think possibly there is some readjustment in the second-class mail matter that ought to be made, but I certainly do not want to do it without the fullest investigation and without complete data before us.

I desire to say beforehand that, if we do get into a debate upon this matter, upon everything as to which I have any doubt I shall vote to leave it as it is. I know that the present rate upon fourth-class mail matter is of great good to a large number of people, and I am not going to take the chances of breaking up or injuring some people and of withholding from many people of this country information which they ought to have unless I am sure that, in doing so, it is required by justice to the Government and to the service, and after a full and careful investigation of every fact which ought to enter into the consideration of the subject.

I think it is absolutely useless for us to try to go into another great, big subject like this with practically only about 14 working days left, 2 of which have practically been preempted. Practically speaking, we have but a dozen days to do the entire business of this session, and we know that is not sufficient. For these reasons I intend to vigorously oppose the motion.

Mr. BRYAN. Mr. President, "and they all with one consent began to make excuse." Senators are in favor of changing the present rates upon second-class mail matter, but this is not the opportune time to do it. The opportune time has never yet come to rectify this great wrong that has been perpetrated upon the American people for so many years. There are \$88,000,000 of loss; we all want to correct that, but this is not the time to do so; there is another way, that is a better way, to do it. But let us do something with it. Here is the situation confronting us: Some Senators speak as if this question had never presented itself to the committee or to the Senate until this session of Congress, and yet it has been a mooted question for a score of years.

A commission was created during President Taft's administration to study the rates upon second-class mail matter and to make recommendations to Congress. The members of that commission were Hon. Charles E. Hughes, associate justice of the Supreme Court of the United States; President A. Lawrence Lowell, of Harvard University; and Mr. Harry A. Wheeler, president of the Association of Commerce of the city of Chicago. They investigated this whole subject. Some Senators can come in here to-day, without having studied the question an hour, and assert with great positiveness that this is crude legislation; that it has never been given consideration; that the statements of a commission appointed by the President in pursuance of an act of Congress were all wrong. But, Mr. President, if you examine the recommendations of the commission, if you examine the report, if you undertake to find out what they did, you will ascertain that it was a report drawn after very thorough and very careful consideration, and that before them appeared representatives of the Post Office Department and representatives of the newspapers and periodicals of this country enjoying the second-class mail privilege. That commission, after full and final hearing, made this recommendation:

- (1) The rate of 2 cents a pound on copies mailed by publishers to subscribers, to news agents, and as sample copies, and by news agents to their subscribers or to other news agents.
- (2) The rate of 1 cent for each 4 ounces for copies mailed by other than publishers and news agents; that is, the present transient rate.
- (3) The present free-in-county privilege retained, but not extended.

Mr. VARDAMAN. Mr. President, I will ask the Senator to state again who made that report.

Mr. BRYAN. The Hughes Commission.

Mr. CHILTON. If the Senator will pardon me, what Hughes was that?

Mr. BRYAN. Charles E. Hughes—Judge Hughes.

Mr. CHILTON. The Senator has described this as being a mooted question. This is not the first mooted question that has come from that source, and I think it will be a mooted question unless we debate it for three or four weeks longer.

Mr. GALLINGER. I think perhaps the Senator from Florida had better read the names of those who were associated with Justice Hughes. If the Senator from West Virginia does not think Justice Hughes should count, let us see who the others were who composed that commission. They were very distinguished men.

Mr. BRYAN. I read the names once, and will do so again. The commission was composed of Hon. Charles E. Hughes, Associate Justice of the Supreme Court of the United States; President A. Lawrence Lowell, of Harvard University; and Mr. Harry A. Wheeler, president of the Association of Commerce of the City of Chicago.

Mr. THOMAS. Mr. President, I desire to say that the report of Mr. Justice Hughes upon a question of that sort would have almost controlling weight with me, if there was no one associated with him.

Mr. CHILTON. Mr. President, I want to hasten to say that I was not meaning to reflect upon Mr. Justice Hughes by anything that I said. If the Senator from Florida will pardon me, I called his attention to the fact that he said that this has been a mooted question for a long time, and I was simply joking as to the conditions during the last campaign and the result of it, and meant to impress upon the Senate the idea that we certainly have not time to dispose of something that has been a mooted question for a long time. That was all. I have great respect for Justice Hughes, however much I may have opposed his political opinions or may dissent from some of his judicial opinions. I am rather disappointed that anyone took seriously what seemed to me as pardonable pleasantry during a protracted discussion; and I insist that if this be a mooted question now there is not time to debate it into a state of certainty.

Mr. BRYAN. Mr. President, that is, as I have said, an excuse that has always been made. If you want information, however, it has been provided; if you want to take action, here is the information that has lain upon the desks of Senators for five years; if you want to allow this subsidy to continue, then almost any excuse will do. I want to put in the Record right here from this report what newspapers pay and what magazines pay in this country. The people of this country do not know the facts. I tell you, Mr. President, that this question will be settled, because when the people know, when the man who writes a letter knows that he pays 32 times as much for his letter as newspaper publishers pay for the circulation of their newspapers, when he understands that out of the funds placed in the Treasury of this Republic the people who write and pay the first-class mail rates contribute over two hundred and a quarter million dollars and out of that nearly \$100,000,000 go back into the pockets of the newspaper and magazine publishers, they will insist that this question be settled.

Now, let us see what are the privileges of second-class matter:

- (1) The general rate of 1 cent a pound on copies mailed by publishers to subscribers, to news agents, and as sample copies, and by news agents to their subscribers or to other news agents.
- (2) The free-of-postage privilege for copies mailed to subscribers residing in the county where the publications are printed and published, when not addressed for delivery from a city letter-carrier office.

Do these letter writers know that it does not cost a periodical publisher a solitary cent to circulate his publication in the county of its publication? I heard a Senator make a remark yesterday afternoon in this Chamber that shows he did not know it; but that is a fact, and it is a fact that ought to be known.

- (3) The cent-a-pound rate on copies mailed for delivery by rural carriers on routes emanating from a city letter-carrier office.

They have the privilege now that is being asked for on behalf of first-class mail matter. They enjoy a privilege at the expense of this Government which the committee has asked the Senate to grant to the people who supply the surplus to take care of the deficit.

- (4) The cent-a-pound rate on weekly publications mailed at a city letter-carrier office for local delivery.
- (5) The cent-a-copy rate for newspapers other than weeklies, and for periodicals not exceeding two ounces in weight, when mailed at a city letter-carrier office for local delivery by carriers.
- (6) The rate of 2 cents a copy for periodicals exceeding 2 ounces in weight when mailed at a city letter-carrier office for local delivery by carriers.
- (7) The rate of 1 cent for each 4 ounces for copies mailed by others than publishers and news agents.

One man pays thirty-two times as much as the other. Two cents will take an ounce of first-class mail matter; 2 cents will take 2 pounds of second-class mail matter.

Mr. President, the Hughes Commission investigated the subject of the cost of the Railway Mail Service in the handling of second-class mail matter. The Post Office Department contended that 26.02 per cent of the total cost was on account of the second-class mail matter. They investigated the rural delivery, and I believe it was conceded that 45.88 per cent of the cost should be charged to second-class mail matter. They investigated the general post-office service. The Post Office Department claimed that 26.86 per cent of the cost was due to the general service. The Hughes Commission said that they could not arrive at that conclusion, but, Mr. President, the Post Office Department have gentlemen who have spent many years making these investigations and calculations. I admit that it seems to me it would be a very difficult thing to pro rate to a nicety the part that should be charged to second-class mail matter. There is no difficulty, however, in determining that the receipts from second-class mail matter last year amounted to \$11,383,000.

It will be noticed that the Hughes Commission did not recommend a rate less than 2 cents upon any sort of newspapers or magazines except in county of origin. It will be further noticed that even that rate will not pay to the Government the expense for any of them.

There is much in what the Senator from Iowa [Mr. CUMMINS] has said, but, inasmuch as the increase here recommended will not be sufficient, will lack very much of being sufficient to pay the actual expenses to which the Government is put, it occurred to the committee that we might recommend this much, in the hope that at least that much could be completed, and settle other questions hereafter. The step, it seems to us, ought to be taken now.

The Senator from Iowa says that we ought to have many divisions; that the paper of a fraternal organization or a religious society ought not to pay as high a rate as a paper conducted for profit, and that the advertising paper ought to pay the highest rate of all, and so forth; but, Mr. President, what injustice can be done when it is conceded that all of them ought to pay at least the amount provided in this bill? If some of them ought to pay more, that can be determined hereafter, or can be determined now if the motion to suspend the rules prevails.

Mr. CLAPP. Mr. President, will the Senator pardon an interruption?

Mr. BRYAN. I yield, of course, to the Senator from Minnesota.

Mr. CLAPP. Supposing that one class are required to pay 2 cents and, we will say for the sake of the argument, that would not be in excess of what that class ought to pay, and that another class ought to pay 4 cents. Now, the man who pays 2 cents, while he is not paying any more than he ought to pay, is called upon to contribute to a deficit that is occasioned by another man getting for 2 cents what he ought to pay 4 cents for; and the rule of inequitable burdens and injustice is just as plain there as it would be if a man who pays 2 cents is paying more than his share in a direct tax on postal matter. In the end he is called upon to pay something that he ought not in justice to pay in contributing for the expenses of the Government.

Mr. BRYAN. But if this amendment prevails, not a single one of them will be paying up to the cost of the service rendered.

Mr. CLAPP. No; but outside of his postage he will be called upon to contribute to expenses of the Government that ought to be borne in part by somebody else. You can not get away from the principle.

Mr. BRYAN. I want now to pay attention just for one moment to the point made by the Senator from Georgia [Mr. SMITH]. The Senator from Georgia says that it costs under the rate the Government pays for the carriage of the mails 1 cent for each 200 miles per pound; that is, it costs the Government 1 cent to carry a pound of mail matter 200 miles. Now, speaking in round numbers that is true, but speaking accurately it is 0.01032 cent. Multiply that and see what it would cost to carry a thousand pounds 200 miles. It would cost \$10.32, or to take a ton 200 miles it would cost \$20.64. The Government would receive \$20 and it would lose 64 cents on each ton each 200 miles; and when you take that into account and consider that last year there were over a billion pounds of second-class mail matter, it will be seen that as small a fraction as that can create a very large deficit without any trouble.

But, Mr. President, the Senator from Georgia spoke as if transportation was the whole of the cost, when the information from experts who have examined this subject is that the handling charge is 5 cents a pound. If the transportation charge were all, of course the Post Office Department would be mistaken in saying that there was an \$88,000,000 loss, because we do not pay that much for the transportation of the mails; and that is why I call attention to the report of the Hughes Commission, which took into consideration the other elements that enter into the cost of running this establishment.

Mr. President, I have argued as far as I care to the merits of the proposition. I think we might settle those questions when the amendment is properly before the Senate. The Senator from Nebraska [Mr. HITCHCOCK] raises the point of order. He says this is not the sort of bill upon which to have this sort of legislation placed; that it is ill-considered legislation. Well, Mr. President, the present rates were placed on Post Office appropriation bills. The Committee on Post Offices and Post Roads deals with other matters than appropriations. In fact, as is known by everybody here, its chief business is dealing with other matters than appropriation bills. It handles the annual bill, and it has been customary for that committee to place upon the bill legislation affecting the department.

The claim of altruism of several of these gentlemen does not strike me with the force that perhaps it should. The claim that this is being done in the interest of the farmer is the old story so familiar to us all, and if you can base your objection or your excuse upon that, you have something to stand upon. Mr. President, the farmer that writes his letter is contributing to this deficit. The claim that farmers get the market reports is put forward as a sufficient reason. Why, Mr. President, they pay for those papers. They pay pretty well for them. They pay for them so well that this pauper paper that sent a telegram to the Senate yesterday is making a fortune every year. They pay for it out of the charges made, and they are made by business men conducting their business upon business principles.

I have no feeling of antipathy toward the press of this country—the daily press, the weekly press, or the magazines. Some of them are excellent, some of them are fair, and some of them are bad. Neither do I claim that in all cases the rates paid by the press ought to be self-sustaining; but I do say that as a proposition considered in the aggregate, second-class mail matter ought to maintain itself. Each class ought to be self-supporting.

Mr. President, I hope that we may have a vote, and that the Senate may see fit to waive the rules and allow us to take a vote upon an amendment that is recommended by a great commission, and that has been too long delayed now. Whatever may be our views as to the proper adjustment of these rates, no man can say that this proposed rate is too high upon a single, solitary newspaper or magazine; and after it is adopted two-thirds of the cost of maintaining this service will still be borne by the tax upon first-class mail matter.

Some Senators say that they will vote for the reduction of the first-class rate, and against the raise in the second-class rate. Very well, let us have a chance to vote upon that. I would not vote to do that, because I know that if I did that I would be voting to create a deficit, and I am not willing to do that. But the Senate, when it gets the matter before it, can handle it as it sees fit. I do not think that it is proper, although it is in conformity with the rules, to deprive the Senate of a right to vote upon this matter that affects the rates charged, that affects this department. When the Postmaster General comes before us and says: "I can reduce the charge upon first-class mail matter somewhat; I think we could put it in on the drop letters and on the rural routes, but the deficit will be pretty large, and I suggest that you raise it some on second-class mail matter," that is a question that properly comes before that committee, and that ought in good conscience to be submitted to the Senate.

But if you do nothing with it, Senators, what position are you in after the 1st of July? You are in this position—that you will have a surplus of ten or twelve million dollars. It is generally conceded that the Post Office Department ought not to be conducted for the purpose of making money. Then you have \$10,000,000 or \$12,000,000 of surplus. By the time the next annual bill comes, if you postpone this matter, there will be a strong demand to distribute that money in the payment of salaries among the men employed in the Post Office Department and in the Postal Service, and yet it is a fact that they are conceded to be the highest paid men in this country. They know it. The Post Office Department knows it, and prides itself upon it. They say they have in the Postal Service men who are efficient, men who are worth the high salaries paid; but they are getting pretty high salaries now.

What are you going to do? Are you going to accumulate this \$10,000,000 of surplus? If you do, with the organizations that they have been allowed to build up—which, in my judgment, ought to be against the civil-service rules, because I think it is a dangerous power that they are creating—they will come here and say: "We made that money. Give it to us." Made it out of whom? Made it out of first-class mail matter; made it out of a branch of the service that is contributing three-fourths of the postal revenues, contributing somewhere between eighty and ninety million dollars, after paying the full cost of the service, to the people who enjoy the second-class service.

That is the situation. That is the reason why, on behalf of the committee, I made this motion in the absence of the chairman on Saturday. I trust the Senate will give it the consideration it deserves, and that we may now proceed to vote, with the understanding that if this amendment is not satisfactory to the Senate, the Senate is a self-governing body and can change it as it sees fit. But let us do something. Let us make a start toward correcting an evil that admittedly exists, that nobody undertakes to deny.

Why, the representatives of these newspapers and magazines know that this has got to come. If they could be assured to-day that Congress would not go any further than 2 cents a pound they would be glad to make that compromise. Their hope is that you will stop one-third of the way. Whether the various classes are properly made up now or not—whether there ought to be more than the first, second, third, and fourth classes—at least we ought to come to an agreement upon this proposition: That no harm can be done by making this change, because after this is done Congress will not then have provided even for a rate that more than one-third sustains itself upon the literature or the class on which it loses the smallest amount of money.

I think it is absurd to say that a publication like the one I had on my desk yesterday, weighing 5 pounds, and made up of nothing but advertising matter, should be carried at an expense per copy to this Government of 35 cents, or that any newspaper publisher in this country should have contributed by his Government to his business the enormous sum of between three and four millions of dollars.

That is the situation that Congress has to confront, and, if we can get a chance to vote upon it, I am confident that the Senate will at least make some correction. Maybe we can not go as far as we ought to go. These matters have to grow, and they can not all be settled at once; but surely we are safe when we follow the recommendations of the department, which has investigated this question for years, and when we follow the recommendations of the Hughes Commission created by Congress, and when we follow the recommendations of the President based upon the report of that commission.

Mr. ASHURST. Mr. President, before the vote is taken I wish to say a few words. I shall be brief, as I appreciate the necessity for action at the earliest moment.

No man appreciates more than I the immense amount of labor and painstaking and valuable work which the Senate Committee on Post Offices and Post Roads has accomplished; and I especially appreciate the speech of the Senator from Florida [Mr. BRYAN]. I deem it my duty to lay before the Senate some facts that have not been adverted to in detail; and I wish also, to avoid appearing to be inconsistent, to state why I expect to vote against the motion to suspend the rules.

I am in favor of the 1-cent-per-ounce drop-letter provision. Indeed, Mr. President, I have heretofore introduced a bill providing for the rate of 1 cent per ounce or fraction thereof for drop letters. But I do not wish nor do I seek the 1-cent-per-ounce feature of the law at the expense of the publications of the country, which are the people's forum.

We can not close our eyes to the fact that it has been the historic, the ancient policy of this Government to encourage, by low postal rates, the easy and sometimes the free dissemination of literature in order that we may have an informed, enlightened public opinion, because in our government public opinion controls, and nothing is worse than a misinformed or a non-informed public opinion. Hence, I say again, it is our ancient and historic policy to encourage rather than discourage the dissemination, frequently free and at all times easy, of what we call second-class mail. Moreover, Mr. President, large numbers of the publications that are going to be affected by this legislation, should it be enacted, have made their contracts upon the law as it now stands, and a radical, sudden increase in the rate of postage would have the effect of dislocating their avenues of revenue; and would have the effect, in many instances—

Mr. VARDAMAN. Mr. President, will the Senator permit me to make a suggestion just there?

Mr. ASHURST. Certainly.

Mr. VARDAMAN. If that is the Senator's only objection to this proposal, that one injustice could be avoided by simply providing that the law should take effect at some time in the future, so that the publisher could accommodate himself to the changed law.

Mr. ASHURST. That is a most valuable suggestion, which I am indebted to the Senator from Mississippi for making.

Mr. VARDAMAN. If the Senator will permit me further, if this motion prevails, all inequalities and imperfections of the character the Senator has brought out can be corrected; but we can not do it unless the Senate votes to suspend the rules.

Mr. ASHURST. I thank the Senator for his interruption, and there is force in it; but, in my judgment we can not and will not pause at this particular time, with only 14 or 15 working days ahead of us, to give adequate thought and care to this proposed plan; such plan should be carefully worked out. Small enterprises, some with very slender means, have made advertising contracts with their subscribers and with their advertisers, having in front of them the law as it now exists, and some of these advertising contracts are made to cover a period of two and three years. Hence, if a change is sought to be made, it ought to be far enough in the future as not to dislocate and practically ruin these worthy and laudable enterprises or publishing concerns which have engaged in this occupation.

I fear, should the proposed legislation be adopted, that the educational magazines, the various religious and trade publications, the scientific and the philanthropical publications, would be seriously injured by a sudden and radical raise, especially at this time, when the publishers, both large and small, and especially the small ones, are about to be driven out of business. I measure my words when I say that the publications, large and small, especially the small publications of the country, are many of them on the verge of bankruptcy for the reason that the increase in the price of print paper has been so sudden and so enormous that they can not adapt quickly themselves to the new situation which has suddenly come down upon them. So, Mr. President, I think it would be unjust now to lay upon the publishers of this country the additional burden of meeting this increased expenditure as proposed here, when we have in view the peril which confronts the small and the large publishers of this country by reason of the extortions that are being practiced upon them by the manufacturers of print paper.

Mr. President, some time ago a million circulars went out over this country stating there was a shortage in print paper. I am informed that there is and there was no shortage in print paper at all. Why? Because everybody got all the paper he wanted, if he paid the price. How can there be a shortage when everybody can have all he wants? One of the metropolitan newspapers advocated the worthy movement of gathering in certain waste paper. We were led to believe that they were going to gather that paper and manufacture print paper out of it. The truth is, the paper thus gathered in, so I am advised, can not be used for the purpose of manufacturing print paper, although it may be used to manufacture wrapping paper, and so forth.

Now, Mr. President, in order that the Senate and the country may see just the peril that is confronting the publishers of this country, both large and small, and especially the small ones, I will ask the Senate to indulge me for four or five minutes until I lay before the Senate this startling information:

The market price of print paper until the summer of 1916 was about \$40 per ton, f. o. b. the mill, to what I am going to call the big buyers, the big buyers being men who could take enormous quantities. The price to what I am going to call the small man, the man who could not take a large quantity but could take only a somewhat limited amount of print paper, was from fifty-five to sixty dollars per ton. Bear in mind, the price per ton to the large user was \$40 per ton in the summer of 1916; to the small user, fifty-five to sixty dollars per ton. Since this raise that I am going to speak of in a moment took place, the advance in the cost of the manufacture of this print paper has been only about \$3 per ton. In other words, as this time, when these prices have been so radically and so tremendously elevated, the price of producing the print paper has been increased only \$3 per ton; so that if the manufacturers sold now as they did a year ago, and took into consideration the increased cost of production, they would be selling to the large publisher at \$43 per ton and to the smaller publisher at fifty-eight and sixty-three dollars per ton, respectively.

But what is the situation now? The large publisher to-day is paying \$62 per ton. The small publisher is paying from \$85 to \$200 per ton—not less than \$85 per ton for his white print paper; and possibly, if he advocates a cause or is propagating

something that does not please the Print Paper Trust, it is \$200 per ton. And then Senators gravely sit here and consider the proposition, in the closing days of Congress, of adding to that burden an increased expenditure in the way of postal expenses.

Mr. President, by reason of this advance in print paper, the newspapers of this country for the year 1917 will pay \$60,000,000 more for print paper than they paid in 1916, assuming that they use the same amount and quantity of paper they did in 1916.

Mr. McLEAN. Mr. President—

The VICE PRESIDENT. Does the Senator from Arizona yield to the Senator from Connecticut?

Mr. ASHURST. I yield to the Senator.

Mr. McLEAN. I should like to ask the Senator from Arizona if the new Federal Trade Commission, to his knowledge, has taken any steps to prevent this extortion?

Mr. ASHURST. Mr. President, I thank the distinguished Senator for asking me that question. I wish to say that so far as I know—and I have no official information—the Federal Trade Commission has investigated the question, and it is fairly shocked and astounded at the situation it finds. I think I have given the figures accurately, although I did not get them from the Trade Commission; but I noticed by the newspapers that the Federal Trade Commission or the Department of Justice is now seeking to have a Federal grand jury called to investigate the matter, and, if the evidence shows an unlawful act, to indict and convict those monopolies that are seeking to crush the very life out of the publishers, large and small, in our country.

There is a very unhappy commentary in connection with this whole business. The press of this country—I do not agree with it sometimes; especially do I disagree with those papers that criticize me—but the press of this country is courageous. Without regard to what they advocate, as a rule, the newspapers are courageous; but it is not to their credit at all that they have been silent, that they have been issuing their papers from day to day and have failed to call attention to this situation. Some of them are so hard pressed, some of them are required to pay such high prices for print paper, that I have no doubt they fear they will be unable to get print paper at all if they fly in the face of and criticize and call to the bar of justice and the bar of public opinion this outrageous extortion which the Print Paper Trust is now imposing upon them. That is the only hypothesis to which I am driven as an explanation for the silence of these various journals that are so meekly submitting to this extortion.

Mr. STONE. Mr. President—

Mr. ASHURST. I yield to the Senator from Missouri.

Mr. STONE. Some days ago I read a statement sent out from Chicago to the effect that a convention or meeting had been called—perhaps I would have better described it by saying a conference had been called—between the manufacturers of print paper and the publishers at Chicago to try to adjust their differences. The manufacturers, according to this report, declared in a defiant way to the publishers that if they sought to remedy through public authority—that is, through the Federal Trade Commission or the Department of Justice—the manufacturers would, in combination and cooperation, quit the manufacturing of print paper, and close the printing establishments of the country.

Mr. ASHURST. I thank the Senator for his statement. Mr. President, it is an absolute fact that certain papers, courageous otherwise, are, metaphorically speaking, on their knees imploring this Print Paper Trust to sell them white print paper at any price. Moreover, Mr. President, as the distinguished Senator from Missouri has said, the print-paper combination, or this combination making print paper, has issued to certain publishers, so I am told—I can not vouch as a fact for this one statement—that if they presume to advocate a particular line of policy contrary to the views of some of the men who are owners of and stockholders in this print-paper combination they will be crushed, and not be allowed to buy any print paper at all. As I say, I do not vouch for the truth of that statement, but I have been informed regarding it by what I believe to be a reliable authority. As to the other information I have given to the Senate, there is little doubt as to the facts being in accordance with my statement.

So, Mr. President, the publishers of this country are facing an increase in expense of print paper of \$60,000,000 over the year just closed. I will take a few newspapers as an example. The profit of the Boston Post last year was \$165,000. If it uses the same amount this year that it did last year, it will pay \$812,000 for its print paper alone. Not only will its profit of \$165,000 be swept out, but it will be required to go down

into its reserves to the tune of over \$600,000 more to pay for print paper alone.

Mr. SMOOT. Mr. President, I should like to ask the Senator where he gets the figures quoted?

Mr. ASHURST. I think so much of the Senator from Utah that it is painful for me to refuse to give him my source of information.

Mr. SMOOT. I accept that statement of the Senator; but I want to say to the Senator that the Federal Trades Commission, as he has already stated, has made an examination into the cost of making print paper and also has made an examination into the price at which the paper has been sold. That report will be made to Congress, I suppose, within a short time. But I wish to say to the Senator, in regard to the statement he made that no newspaper of any importance in the United States is compelled to pay to-day 10 cents a pound for print paper—

Mr. ASHURST. I did not catch the Senator's remark.

Mr. SMOOT. I say there is no newspaper in the United States of any importance that is paying 10 cents a pound, or \$200 a ton, for print paper. I will say to the Senator that I believe—and I have every reason to say that I know—the report of the commission will show that the cost of print paper for the year 1916 over and above the cost of print paper for 1915—I am not speaking now of 1913 and 1914; I am speaking of 1916—will show an increase of only about 4 cents per hundred pounds.

I will also say to the Senator I am quite sure this report will show that there is a great deal of paper furnished by the paper manufacturers to-day on contracts that have not yet expired and at a price of about 2 cents a pound, or \$40 a ton. I know myself of a great many papers in the United States that are still using paper under a contract made in the year 1914, at which time the general price was 2 cents a pound, or \$40 a ton, and some papers were purchasing it for a little less than that.

I wish to say to the Senator that this report, I think, will show that the price where there is no contract price will run from 2½ cents up to 7 cents a pound. Seven cents, of course, is where the purchaser buys it from a dealer or distributing agent in small quantity. The dealer perhaps buys a carload and then he sells it at retail at as high a price as he can get for it.

In what I said, Mr. President, I do not want the Senator to feel that I justify some of the high prices that are being charged for print paper, and the only reason why it could happen at all is because of the conditions existing in the world to-day.

I knew the Senator wanted to make no statement on the floor of the Senate, no matter where he gets the information, that is not borne out by the facts.

Mr. ASHURST. The Senator has correctly stated my attitude. I do not wish, here or elsewhere, to make a statement that is not in accordance with the facts. I have verified my statements to the best of my capacity. That I may be inaccurate in some detail I, of course, grant.

Mr. SMOOT. Mr. President, just a word in that connection before we leave the subject concerning print paper. Not only has print paper advanced in its price, but book paper of all kinds has advanced. I wish to say to the Senator now that if we were compelled to buy the paper for the Government of the United States to-day and purchase just the same amount of each kind of paper that we purchased last February it would cost the Government of the United States a little over \$1,000,000 more than it did last year. I will state to the Senator it is on no one class of paper, but the increases have run from, on the high-price papers, 12 to 20 per cent; on medium-class papers, 40 to 50 per cent; and on the cheapest paper it has advanced, sometimes, over 150 per cent. That comes about, however, because of the fact that the price of wood pulp has increased enormously and the price of everything that goes into the manufacture of paper has increased enormously.

Mr. ASHURST. That may be true, but I have another fact relating to that question which I will bring out in a moment.

Mr. WORKS. Mr. President—

Mr. ASHURST. I yield to the Senator from California, though I would like to finish at the earliest moment, of course.

Mr. WORKS. Conceding all that has been said by the Senator from Arizona as to the increased price paid, I am a little puzzled to know what that has to do with the question before the Senate. I should like to ask the Senator whether he thinks the Government ought to forego the right to increase the rate of postage to a reasonable amount because somebody else is extorting from the newspapers?

Mr. ASHURST. In reply to the distinguished Senator from California, I confess my arguments are not always powerful and frequently not to the point, and although they seem clear to me

they are about as clear as a concrete wall to some other Senators. But it has seemed to me that when I am pointing out that newspapers are about to be and are being mulcted to the tune of \$60,000,000 a year, it is pertinent to take into consideration the question as to whether we should impose an additional burden in the way of postal rates. That is the reason why I am reading these figures to show the burdens under which they are now laboring.

Mr. President, when I was interrupted I was calling attention to the fact that the Boston Post will be required to pay, assuming that it uses the same amount of paper this year that it did last year, \$812,000 for its print paper alone, and that its profit was last year, I am advised, \$165,000. Take one more illustration. I am not going to tire the Senate by going down a list of newspapers and show what the profits were and what they paid out, but taking one more illustration, the Kansas City Star, a paper printed in the State so ably represented here in the Senate by her two illustrious sons and Senators—if the Kansas City Star in the year 1917 uses the same amount of paper that it used last year, it will pay \$900,000 more for print paper than it paid last year.

Mr. POMERENE. Mr. President—

The VICE PRESIDENT. Does the Senator from Arizona yield to the Senator from Ohio?

Mr. ASHURST. I yield for a moment.

Mr. POMERENE. Has that paper increased its advertising?

Mr. ASHURST. I do not know. I wish to say that most of these papers, especially the country weeklies, the philanthropic, the trade and educational journals, the fraternal journals, and many of the weeklies and dailies make contracts for one, two, and three years in advance.

Mr. POMERENE. Can the Senator tell us what the profit was compared with that of last year?

Mr. ASHURST. I do not know what the profits were. I have not those figures.

Mr. POMERENE. May I ask the Senator another question? His position is that these publications are paying too much for their print paper. Clearly, that does not appeal to a Senator who thinks along a straight line as a reason why we should give this service for less than cost.

Mr. ASHURST. I premised my argument by saying it is the historic and ancient policy of our Government to encourage in every proper way the dissemination of information so that we may have an informed public opinion, because a misinformed public opinion is worse than monarchy—

Mr. POMERENE. In other words, if I—

Mr. ASHURST. Just let me finish. If an institution or business laudible in itself is fairly staggering under a load, is it wise, is it statesmanlike, to put upon it an additional burden that will in many instances crush and annihilate it altogether, when its income and revenues are required to meet the demands of this extortionate monopoly of print paper?

Mr. POMERENE. In other words, if I am a farmer and pay too much for a horse, the Government ought to relieve me from the payment of my taxes.

Mr. ASHURST. Not at all. I ask the Senator if he thinks this is right: I know of a chain of newspapers in his State the profits of which last year were \$500,000. This year they will pay \$750,000 more for print paper than they paid last year.

Mr. POMERENE. Can the Senator tell me what their profits were?

Mr. ASHURST. Five hundred thousand dollars, so I am told.

Mr. POMERENE. The profits last year?

Mr. ASHURST. So I am told.

Mr. POMERENE. What are the profits this year?

Mr. ASHURST. For this year I do not know. I am talking about the year 1916.

Mr. POMERENE. But the Senator is only presenting to us one view of this case. I should like to see the whole financial statement and then we could tell more about it.

Mr. ASHURST. I should like to see it myself.

Mr. TOWNSEND. May I ask the Senator a question also?

Mr. ASHURST. Certainly.

Mr. TOWNSEND. If I have followed the argument of the Senator correctly, he is arguing that because of additional cost to the newspapers the Government should be lenient with them this year and not impose what most of us believe is a just share of the taxes. Is it not a fact that the Government is laboring under all the disabilities that the newspapers are laboring under, its burdens have been increased during the year, and we are called upon this year to make the largest appropriation that the country ever asked of the Government?

Mr. ASHURST. I think the statement of the distinguished Senator from Michigan is very pertinent, and I thank him;

but I have never argued that the Government should be lenient with the papers. Search my remarks with a microscope, and you will not find the word "lenient." They have made their advertising contracts in accordance with what they have a right to presume would be the postal rates for this year. Here Congress is about to close, and a radical, sudden, and, I suspect, a not fully considered question of enormous increase is presented. The law is 32 years old, and they are to be required to meet this additional expense without notice.

Mr. VARDAMAN. Mr. President—

Mr. ASHURST. I wish to conclude in a moment.

Mr. VARDAMAN. I did not want to interrupt the Senator. It is not my purpose or desire to break the orderly chain of his argument. The Senator has stated correctly, I think, the purpose of the great system of dissemination of knowledge among the people as one of great consideration, one of the essential prerequisites to good citizenship. Now he is considering the newspaper as a philanthropic enterprise conducted for the good of humanity with incidental profits. If the Senator wants to help the farmer, who seems to be the object of so much solicitude and love, does not the Senator think it would be very proper for the Post Office Department to give to the farmer, who is now burdened with taxation, groaning under the load which he is carrying to maintain the Government, with the high cost of living, and all that, an opportunity to carry his wares cheaper?

Mr. ASHURST. I certainly do.

Mr. VARDAMAN. To carry the things he wants to sell to town cheaper and bring the things from town that he wants to buy cheaper, and then his condition might be ameliorated.

Mr. ASHURST. I think so.

Mr. VARDAMAN. Would the Senator, then, be in favor of lowering the parcel-post rate?

Mr. ASHURST. On some of the zones I would be. I am in favor of lowering the rates not on all zones but on some of them.

Mr. President, I trust I may finish this very dislocated statement without further interruption. I shall be through in four or five minutes.

The distinguished Senator from Utah [Mr. SMOOT], who furnishes information on nearly every subject on which he speaks, and he speaks on nearly every subject, stated that by reason of some advances in material, equipment, and so forth, necessary to produce the print paper a large part of the increase was occasioned thereby. Now, let us see about that. The Chicago Tribune owns its own paper mill and makes its own paper. I think, but I am not certain that I am accurate, it holds it through an auxiliary or a subsidiary corporation, and after making print paper sells to that great newspaper, the Chicago Tribune, print paper at \$44 a ton and makes a profit. Here are these monopolists confederated together selling print paper to the large user at \$62 per ton, to the small user at, as I said before, at some eighty-five to two hundred dollars a ton. So we put into juxtaposition that situation. The paper in Chicago had its own plant—I do not know where it is located—selling paper, I am advised, and meeting all its needs, at \$44 a ton. The argument must fall to the ground like a house of cards blown in a cyclone that they must increase their rates because of the enormous increase in expense of manufacture.

Mr. SMOOT. I suppose the Senator desires an answer, or he would not have called my attention to his argument.

Mr. ASHURST. I wanted to call the Senator's attention to the situation.

Mr. SMOOT. I think I know the situation pretty well throughout the country. I want to say to the Senator in speaking of the cost of print paper I do not speak of one particular manufacturer in the United States that purchased thousands of acres of wood for the purpose of manufacturing it into print paper. He no doubt bought the standing forest years ago at the stumpage value of a dollar per 1,000, and general stumpage has increased up to five, six, and seven dollars. The Chicago paper spoken of by the Senator, of course, is not compelled to charge the cost of paper that it now manufactures based on the present stumpage price of wood. That would be like putting a dollar out of one pocket into another.

Mr. ASHURST. Yes.

Mr. SMOOT. But when you come to take all the thousands of newspapers in the United States that do not manufacture a pound of paper, and when you take the paper manufacturers who have been and are compelled to buy every pound of wood pulp that they put into the paper manufactured by them, or every pound of sulphide used in the paper, then you have got to take into consideration what it costs to-day and not what it cost in 1914. The Senator will find when the Federal Trade

Commission's report comes in as to the price of wood pulp that is sold to our paper manufacturers in this country, that as they have no forests of their own and no machinery to manufacture wood pulp, they are compelled to pay exceedingly high prices for it.

The Senator will find that the price of wood pulp to all of this class of manufacturers has increased not 100 per cent, but 200 and 300 per cent. It was to that I had reference. I had no reference to simply one Chicago newspaper that manufactures its own paper from wood which was purchased years and years ago when the stumpage of wood was almost nothing. The Senator, however, is too wise a man not to take into consideration the conditions as they exist to-day, what a manufacturer has to pay for what enters into the manufacture of paper to-day. Everything that is required to produce paper, no matter what it is, costs more than it did in 1914.

Mr. ASHURST. Mr. President, I have no doubt that there is much of truth in the Senator's statement. With one sentence I am going to close. I have laid these facts, as I believe them to be facts, before the Senate, so that it might be informed and have all the information in the matter before it decided, in addition to the great burdens which these publications are bearing, whether we shall increase those burdens or shall let the status quo remain until there has been time for further investigation and examination.

The VICE PRESIDENT. The question is—

Mr. HITCHCOCK. I suggest the absence of a quorum, Mr. President.

The VICE PRESIDENT. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Fernald	Nelson	Smoot
Bankhead	Fletcher	Norris	Stone
Beckham	Gallinger	Overman	Sutherland
Borah	Gronna	Page	Swanson
Brady	Harding	Penrose	Thomas
Brandegee	Hitchcock	Pittman	Tillman
Broussard	Hollis	Pomerene	Townsend
Bryan	Johnson, Me.	Ransdell	Vardaman
Cañon	Jones	Robinson	Wadsworth
Chamberlain	Kenyon	Shafroth	Warren
Chilton	Kirby	Sheppard	Watson
Clapp	Lane	Sherman	Weeks
Clark	Lewis	Shields	Williams
Culberson	Lodge	Simmons	Works
Cummins	Martin, Va.	Smith, Ga.	
Curtis	Martine, N. J.	Smith, S. C.	

The VICE PRESIDENT. Sixty-two Senators have answered to the roll call. There is a quorum present. The pending question is, Shall clause 3 of Rule XVI be suspended for the purpose of enabling the Senator from Florida [Mr. BRYAN] to submit his amendment.

Mr. BRYAN. On that I ask for the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. GALLINGER (when his name was called). I have a general pair with the Senator from New York [Mr. O'GORMAN]. He is absent. Not knowing how he would vote if present, I withhold my vote.

Mr. HARDING (when his name was called). I have a general pair with the junior Senator from Alabama [Mr. UNDERWOOD], but I note his absence from the Chamber, and therefore I will withhold my vote. If I were permitted to vote, I should vote "yea."

Mr. LEA of Tennessee (when his name was called). On account of my special interest in this question, I ask to be excused from voting.

The VICE PRESIDENT. Is there objection? The Chair hears none, and the Senator from Tennessee is excused from voting.

Mr. TOWNSEND (when the name of Mr. SMITH of Michigan was called). I desire to announce the absence of my colleague [Mr. SMITH of Michigan]. He is paired with the junior Senator from Missouri [Mr. REED]. This announcement may stand for the day.

Mr. STONE (when his name was called). I have a pair on this vote with the senior Senator from Indiana [Mr. KERN], who has been called from the Chamber on account of illness. If he were present, he would vote "nay." If I were at liberty to vote, I should vote "yea."

Mr. TILLMAN (when his name was called). I transfer my pair with the Senator from West Virginia [Mr. GORF] to the Senator from New Jersey [Mr. HUGHES] and vote "nay."

Mr. WALSH (when his name was called). I inquire if the Senator from Rhode Island [Mr. LIPPITT] has voted?

The VICE PRESIDENT. He has not.

Mr. WALSH. I have a pair with that Senator, and, in his absence, I withhold my vote.

The roll call was concluded.

Mr. REED. I transfer my pair with the Senator from Michigan [Mr. SMITH] to the senior Senator from Oklahoma [Mr. GORE] and vote "yea."

Mr. CHAMBERLAIN. I am paired with the junior Senator from Pennsylvania [Mr. OLIVER]. In view of his absence and my inability to secure a transfer, I withhold my vote. If at liberty to vote, I should vote "yea."

Mr. POMERENE. I am requested to announce the absence of the senior Senator from Maryland [Mr. SMITH] on official business. He is paired with the senior Senator from Vermont [Mr. DILLINGHAM].

Mr. CURTIS. I have a pair with the junior Senator from Georgia [Mr. HARDWICK], who is necessarily absent, and I therefore withhold my vote.

I also desire to announce that the Senator from Vermont [Mr. DILLINGHAM] is absent on account of illness and is paired with the senior Senator from Maryland [Mr. SMITH].

Mr. BANKHEAD. I announce that the junior Senator from Georgia [Mr. HARDWICK] is absent from the Chamber on account of sickness. If present, he would vote "yea."

Mr. SMITH of South Carolina (after having voted in the affirmative). I have a general pair with the Senator from South Dakota [Mr. STERLING]. Inadvertently I voted. I see that that Senator is absent, and I transfer my pair to the Senator from Arizona [Mr. SMITH] and will let my vote stand.

Mr. CHILTON (after having voted in the negative). Mr. President, I was not aware that I had any personal interest in the matter before the Senate, but, since the statement made by the Senator from Tennessee [Mr. LEA], I am informed that probably I have. I own some interest in a newspaper, and I do not want to vote so that anybody can now or hereafter say that I had a personal interest in any public act which I may have done. I am sure that I never thought about it, but I own an interest in a newspaper. For that reason I ask leave to withdraw my vote.

The VICE PRESIDENT. Is there objection? The Chair hears none.

Mr. CURTIS. I have been requested to announce that the Senator from Rhode Island [Mr. COLT] is paired with the Senator from Delaware [Mr. SAULSBURY].

The roll call resulted—yeas 34, nays 37, as follows:

YEAS—34.

Bankhead	Hollis	Nelson	Thomas
Borah	Husting	Norris	Townsend
Bryan	Johnson, Me.	Overman	Vardaman
Cairn	Jones	Page	Wadsworth
Clapp	Kenyon	Pittman	Warren
Cummins	Kirby	Pomerene	Williams
du Pont	La Follette	Reed	Works
Fall	Lane	Robinson	
Fletcher	McCumber	Smith, S. C.	

NAYS—37.

Ashurst	James	Penrose	Smoot
Beckham	Johnson, S. Dak.	Phelan	Sutherland
Brady	Lee, Md.	Polinder	Swanson
Brandegge	Lewis	Ransdell	Thompson
Broussard	Lodge	Shafroth	Tillman
Clark	McLean	Sheppard	Watson
Culbertson	Martin, Va.	Sherman	Weeks
Fernald	Martine, N. J.	Shields	
Gronna	Myers	Simmons	
Hitchcock	Owen	Smith, Ga.	

NOT VOTING—25.

Chamberlain	Gore	Newlands	Sterling
Chilton	Harding	O'Gorman	Stone
Colt	Hardwick	Oliver	Underwood
Curtis	Hughes	Saulsbury	Walsh
Dillingham	Kern	Smith, Ariz.	
Gallinger	Lea, Tenn.	Smith, Md.	
Goff	Lippitt	Smith, Mich.	

The VICE PRESIDENT. On the question, Shall the rule be suspended? the yeas are 34 and the nays are 37. The motion is not agreed to.

Mr. JONES obtained the floor.

Mr. BRYAN. Mr. President—

Mr. JONES. I understand there are other committee amendments, and I yield to the Senator from Florida.

Mr. BRYAN. There are some other committee amendments. The amendments on page 11 were passed over.

The VICE PRESIDENT. The Secretary will state the amendments passed over.

Mr. SMOOT. Mr. President, the amendments on page 11 and page 14 went over at my request; but since the adoption of what is known as the Smoot amendment, increasing the salaries of certain employees, I shall make no objection at all to the amendments of the committee with relation to the substitute clerks, nor to those relating to the letter carriers, as found on page 14 of the bill. So far as I am concerned, as I asked that they go over, I have no further objection to them.

The VICE PRESIDENT. The amendments passed over will be stated.

The amendments were, on page 11, line 9, after the word "of," to strike out "all" and insert "75 per cent of"; in line 12, before the words "per cent," to strike out "twenty-five" and insert "five"; in line 14, before the words "per cent," to strike out "twenty-five" and insert "five"; in line 17, after the word "of," to strike out "all" and insert "75 per cent of"; in line 19, before the words "per cent," to strike out "twenty-five" and insert "five"; and in line 20, before the word "offices," to insert "post," so as to make the clause read:

And to provide for the promotion of 75 per cent of the clerks in first-class post offices from the fifth to the sixth grade, and for the promotion of 5 per cent of the clerks in the sixth grade to the designation of "special clerk" in the \$1,300 grade, and for the promotion of 5 per cent of the designated "special clerks" in the \$1,300 grade to the designation of "special clerk" in the \$1,400 grade, and to provide for the promotion of 75 per cent of the clerks in second-class post offices from the fourth to the fifth grade, and for the promotion of 5 per cent of the clerks in second-class post offices from the fifth to the sixth grade: And provided further, That there may also be employed at first-class post offices foremen and stenographers at a salary of \$1,300 or more per annum; in all, \$49,740,000.

The amendments were agreed to.

The next amendments passed over were, on page 14, line 11, after the word "of," to strike out "all" and insert "75 per cent"; in line 13, after the word "of," to strike out "all" and insert "75 per cent"; in line 14, before the word "offices," to insert "post"; in line 15, before the words "per cent," to strike out "twenty-five" and insert "five"; and in line 16, before the word "offices," to insert "post," so as to make the clause read:

For pay of letter carriers at offices already established, including substitutes for letter carriers absent without pay, and for the promotion of 75 per cent of the letter carriers in first-class post offices from the fifth to the sixth grade and for the promotion of 75 per cent of the letter carriers in second-class post offices from the fourth to the fifth grade and for the promotion of 5 per cent of the letter carriers in second-class post offices from the fifth to the sixth grade, City Delivery Service, \$40,550,000.

The amendments were agreed to.

Mr. BRYAN. Mr. President, at the top of page 29, line 7. I offer a substitute. It will be necessary to reconsider the vote by which the committee amendment on page 29 was adopted, and I ask to have that done.

The SECRETARY. On page 29, line 7, there was a committee amendment agreed to which read as follows:

Provided further, That hereafter the compensation of carriers on horse-drawn vehicle routes shall be at the rate of \$24 per annum for each mile of said routes in excess of a standard vehicle route of 24 miles, and any major fraction of a mile shall be counted as a mile.

Mr. BRYAN. I move to reconsider the vote whereby that amendment was agreed to.

The VICE PRESIDENT. Without objection, the vote will be reconsidered.

Mr. BRYAN. Now I offer as a substitute for it the matter which I send to the desk on behalf of the committee.

The VICE PRESIDENT. The amendment to the amendment will be stated.

The SECRETARY. In lieu of the amendment agreed to, on page 29, beginning on line 7, it is proposed to insert:

Provided further, That on and after July 1, 1917, the compensation of carriers on daily rural routes shall be at the rate of \$24 per annum for each mile of said routes in excess of the standard vehicle route of 24 miles, and any major fraction of a mile shall be counted as a mile. A standard motor-vehicle route shall not be less than 36 miles in length and shall not be established unless a majority of the proposed patrons who are heads of families residing upon such proposed route shall, by written petition, ask the Post Office Department to establish the same.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

Mr. BANKHEAD. Mr. President, I offer the amendment which I send to the desk.

The VICE PRESIDENT. The amendment will be stated.

The SECRETARY. On page 2, following line 1, under the heading of "Office of the Postmaster General," it is proposed to insert:

For rent of suitable buildings for the use of the Post Office Department, including the mail bag repair shop and lock-repair shop, \$2,666.67.

The amendment was agreed to.

Mr. BRYAN. Mr. President, there is one other committee amendment, that was passed over at the request of the Senator from Mississippi [Mr. VARDAMAN]. That is the amendment on page 15, relating to the pneumatic-tube service.

Mr. VARDAMAN. Mr. President, I shall not consume very much of the time of the Senate in the discussion of this question.

I confess that at the beginning of the consideration of this item of the bill I was very much in favor of this appropriation;

but it was because I was not informed as to the work the tubes were doing in the distribution of the mail. This is a question about which Congress has differed in opinion ever since the establishment of the system. The Committee on Post Offices and Post Roads held extended hearings, and citizens from the cities of New York, Boston, Chicago, St. Louis, and Philadelphia came in great numbers with their counsel, able lawyers, and influential newspaper men, to convince the committee that the tube system should be continued. All the information I have on the subject has been given to me by the Post Office Department. That the officers and employees of the Post Office Department know what they are talking about and are qualified to speak upon this question, when you consider the history of this proposed legislation and read the story they tell, I do not think you will question the accuracy of their conclusion. I want to say that I have no interest in this matter except to bring out the facts that the Senate may be in possession of the truth about it, as I understand it. There is in this matter not only saving to the taxpayers, the question of the efficiency of the Postal Service, but there is a moral question also involved.

The act of April 21, 1902, making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1903, contains the following provision:

For the transmission of mail by pneumatic tubes or other similar devices, \$500,000, or so much thereof as may be necessary; and the Postmaster General is hereby authorized to enter into contracts for a period not exceeding four years, after public advertisement once a week for a period of six consecutive weeks in not less than five newspapers, one of which shall be published in each city where the service is to be performed. That the contracts for this service shall be subject to the provisions of the postal laws and regulations relating to the letting of mail contracts, except as herein otherwise provided, and that no advertisement shall issue until after a careful investigation shall have been made as to the needs and practicability of such service and until a favorable report, in writing, shall have been submitted to the Postmaster General by a commission of not less than three expert postal officials, to be named by him; nor shall such advertisement issue until, in the judgment of the Postmaster General, the needs of the Postal Service are such as to justify the expenditure involved.

Pursuant to that law the Postmaster General, on the 17th of July, 1915, appointed a commission composed of Joe P. Johnston, General Superintendent Division of Railway Mail Service; W. S. Ryan, superintendent of Division of City Delivery; John C. Koons, chief inspector; I. T. Mullins, post-office inspector; and George A. Gardner, Assistant Superintendent of Railway Mail Service.

Mr. POINDEXTER. Mr. President—

The PRESIDING OFFICER (Mr. KENYON in the chair). Does the Senator from Mississippi yield to the Senator from Washington?

Mr. VARDAMAN. I yield to the Senator from Washington.

Mr. POINDEXTER. I do not want to interrupt the Senator's argument. I was out of the Chamber when this amendment was reached. I should like to inquire whether a point of order has been made against the amendment?

Mr. VARDAMAN. A point of order has not been made against it.

Mr. POINDEXTER. I make the point of order against it, Mr. President. Without desiring to interrupt the argument of the Senator, I just want to reserve that right.

Mr. VARDAMAN. I think the point of order will lie. I do not think there is any question about its being general legislation on an appropriation bill.

Mr. POINDEXTER. I make the point of order that it is general legislation on an appropriation bill.

Mr. SMOOT. Does the Senator make that point of order now?

The PRESIDING OFFICER. The Senator from Mississippi has the floor. Does he yield to the Senator from Utah?

Mr. VARDAMAN. For what purpose does the Senator rise? Does he wish to ask me a question?

Mr. SMOOT. All I wanted was to ask whether the Senator from Washington made his point of order now, and whether it was going to be ruled upon at this time. I do not want to take the Senator off the floor, of course. I could not do it if I wanted to.

Mr. VARDAMAN. Of course, the Senator from Washington can not make the point of order with the Senator from Mississippi occupying the floor.

The PRESIDING OFFICER. The Chair will say to the Senator from Mississippi that he understands the Vice President has ruled, as to similar amendments, that they are in order; and the present occupant of the Chair will so rule.

Mr. POINDEXTER. Mr. President, my sole purpose was to protect myself in the right to make the point of order. If it can be done without taking the Senator from Mississippi off the floor, I desire to pursue that course. I do not want to interfere with his speech in any way.

Mr. VARDAMAN. The Chair has ruled that it is in order.

The PRESIDING OFFICER. The Chair will say to the Senator that the Chair is not ruling. He is simply stating to the Senator the line the Vice President has followed in his rulings. The Senator from Mississippi has the floor, and the Chair does not understand that he could be taken off the floor.

Mr. VARDAMAN. Well, Mr. President, we will raise the point of order later, if the Senator from Washington wants to make that point. I do not know what the Vice President has decided, but I am satisfied the point of order ought to be sustained; but we will look after that later.

Mr. THOMAS. Mr. President, may I interrupt the Senator for a question?

Mr. VARDAMAN. I yield to the Senator from Colorado.

Mr. THOMAS. I notice that the amendment which the Senator is discussing so intelligently is an amendment to a House provision; or, to be more accurate, the House provision upon the same subject is stricken out and this amendment substituted for it.

Mr. VARDAMAN. Yes; but this amendment does a great deal more than that.

Mr. THOMAS. Now, my question is whether the Senator is satisfied with the House provision concerning this subject?

Mr. VARDAMAN. No; I am not.

As I was about to state, Mr. President, and probably I did state, on the 17th of July, 1915, this commission was appointed pursuant to law. This commission reported to the Senate the result of its investigation, and I am going to give the Senate succinctly what that commission discovered.

They say:

"While the pneumatic tubes are free from surface congestion and the containers travel at a high rate of speed between stations, these advantages are outweighed because of—

"1. The necessity of relaying containers at way stations, thus involving a great loss of time;

"2. Requiring all intermediate stations to be kept open, with the employees on duty;

"3. The impossibility of dispatching mail to the point where it is received by or taken from the railroad companies without additional handling;

"4. The inability to prevent dampness and moisture in the tubes, thus causing damage to the mail;

"5. The stoppage of the operation of the entire service when the line is discontinued between any two points;

"6. The inflexibility of the service;

"7. Its inability to meet current emergency conditions, thus resulting in congestion; and

"8. Its excessive cost of \$17,000 per mile per annum.

"The use of the tubes is confined to the transportation of first-class mail, which represents, according to the report of the Hughes Commission, approximately 12 per cent of the entire weight of all classes of mail. However, since the establishment of the Parcel Post Service this percentage has been greatly reduced as to bulk and somewhat reduced as to weight. In two of the cities having pneumatic-tube service less than 50 per cent of the first-class mail (which constitutes less than 12 per cent of all mail) is transported by tube between the points having such service, while in some cities the volume is greater; but notwithstanding this fact it is necessary, because of the limited capacity of the tubes, to parallel the tube service in each instance by surface transportation, not only for the transmission of other classes of mail but for mail of the first class, all of which in theory should be handled by the tubes.

"Of the letter mail transported by tubes from 82 to 97 per cent could be handled by the present means of surface transportation without any delay or additional cost. The department therefore derives no benefit from the transportation of a large percentage of the mail that is now forwarded through the tubes. The volume of mail advanced by the use of the tube service at stations having such service, even under the present screen-wagon schedules, which are arranged with a view of utilizing the tube service to the fullest extent, is almost infinitesimal, varying from 1 per cent of the entire volume of mail in New York City to as low as 0.21 per cent in the city of Philadelphia, the average for all cities having tube service amounting to about 0.7 per cent.

"The price paid for the tube service is the same in all instances (\$17,000 per mile per annum), which is a higher rate per mile than the total paid all the railroads that enter New York City for carrying all of the mail, approximately three times as much as that paid all the railroads for the same purpose that enter Boston, more than twice as much as that paid the railroads that enter St. Louis, and greater than the amount paid the railroads that enter Philadelphia, notwithstanding

the fact that they only advance from 0.21 per cent to 1 per cent of the mail.

"If the tubes are abandoned other means of transportation can be furnished at less than one-third the cost, which will not only transport the mails as expeditiously as the present tube service but even more so. The postmasters at the cities of Boston, Philadelphia, St. Louis, Chicago, and Brooklyn have stated that the tube service can be discontinued and more efficient service rendered by other means; and although the pneumatic tubes cost \$17,000 per mile per annum, the statements made by these officials show clearly that better service can be rendered at a cost that would equal \$3,500 per mile.

"The question therefore resolves itself into one as to whether or not the Postmaster General shall be directed to continue a service at \$17,000 per mile per annum when better service can be rendered at a cost of \$3,500 per mile or less, and which the postmasters and supervisory officers at offices involved have urged be discontinued. Against the statements of the persons having charge of the Postal Service we have those of the hired attorneys, agents, and officers of the tube companies urging that they be continued, and who have rallied to their support business organizations whose representatives have no knowledge of the Postal Service and have not the slightest responsibility resting upon them for its successful administration.

"The evidence before the committee shows that during one evening recently in New York City more than 700 containers of mail originating below Forty-second Street were delayed, some of them for a great length of time, because of the congestion in the tubes. This congestion involved a delay of more than 1½ tons of important business mail originating in the financial and business districts of New York City. Much of this mail missed its connections, involving delays from 12 to 24 hours in delivery. If the business organizations in New York City knew the true facts of this service, I am persuaded to believe they would be insisting on its discontinuance instead of its continuance.

"The percentage of the additional mail which it would be necessary to provide transportation for in case the tubes are to be discontinued is so small its effect upon the congestion of the streets would not be noticeable; besides, the Post Office Department should have the same right to place vehicles upon the streets as merchants and business men of the various cities have. There was no evidence before the committee that any protest had been made by the traffic officers or officials of any city against the merchants placing such machines on the streets as might be necessary to deliver their parcels; besides, a very large portion of the tube service in Boston was built for the merchants for the delivery of parcels, but abandoned by them more than 15 years ago as an unsuccessful business venture. No protests were made by the merchants of the city at that time against the discontinuance of this service and placing their traffic on the streets. In endeavoring to discontinue the service at this time the Post Office Department is attempting to discontinue a service that the merchants of Boston 15 years ago considered as obsolete and useless.

"The Senate must therefore decide between the recommendations of the department, the postmasters, and those responsible for the Postal Service and whose duty it is to render efficient postal service on the one hand and the inspired representations made by the tube companies on the other; and the only practical conclusion would be to follow the recommendations of the Post Office Department and not appropriate a million dollars to be used in the next year in extravagance and waste. In directing that the Post Office Department continue the use of the service for another year the Senators are directing that the Postmaster General use a utility which the Members of Congress themselves are not willing to use, because the tube line which is built between the Capitol and the House Office Building has never been utilized to any purpose because it has not been found by the Members themselves to be practicable."

Mr. President, I have a statement prepared for me by the First Assistant Postmaster General of the cost and the saving to the Government if the Post Office Department is permitted to do what the Post Office Department believes to be in the interest of the public service.

The act of 1902 provided this contract should not be renewed until the Postmaster General had appointed a commission of not less than three expert postal officials to investigate it, believing that he would do that which would promote the public service rather than take care of private interests. The Postmaster General has done that. This report has been made as I have stated heretofore. Now, listen to what they discovered: The percentage of mail of all classes which is first class is 12. The percentage of letter mail received and dispatched by tubes at stations having tube service in New York is 46.92. In Brooklyn, 47.75 per cent of first-class mail; in Boston, 89.36;

in Chicago, 67.03; St. Louis, 80.96; and in Philadelphia, 67.44; that is, 67 per cent of 12 per cent of the total mail handled.

Percentage of mail of all classes, percentage of letter mail received and dispatched by tubes at stations having tube service in New York is 5.63; Brooklyn, 5.73; Boston, 10.72.

[At this point Mr. VARDAMAN yielded to Mr. BRYAN, on whose motion the Senate agreed to meet at 10 a. m. to-morrow.]

Mr. VARDAMAN. Now, Mr. President, I am going to repeat this table and I hope Senators will listen to it. They talk about economy, retrenchment, and reform. Unless the officers of the Post Office Department are incompetent and dishonest this statement will convince you that the continuation of the pneumatic system is an unwarranted and indefensible extravagance of something over \$600,000 per annum. It is a gratuity voted out of a depleted Treasury to men who have no legal or moral right to receive it.

As I said in the beginning, I do not know whether these facts are true or false, but I am going to indulge the presumption that the officers of the law, the Postmaster General, and those who have cooperated with him in making this investigation are honest and patriotic. I am convinced also that they are informed and inspired by a sincere desire and purpose to perform properly the functions of their respective offices.

Mr. THOMAS. May I ask the Senator a question?

The PRESIDING OFFICER. Does the Senator from Mississippi yield to the Senator from Colorado?

Mr. VARDAMAN. I do.

Mr. THOMAS. Is it not a fact that the pneumatic-tube system of Boston was constructed as a commercial enterprise, and having proved a failure for that purpose was then taken over by the Government for its mail system at an expense of \$17,000 a mile? I have been so informed.

Mr. VARDAMAN. I understand that is true. This commission reports—

Mr. MARTINE of New Jersey. Permit me to state that it does not militate against the policy of the tubes because it was started for a parcel-post business.

Mr. VARDAMAN. I want to say to the Senator who interrupts me without permission—but he is always welcome to any time I may have at my disposal—

Mr. MARTINE of New Jersey. I humbly beg the Senator's pardon.

Mr. VARDAMAN. That the judgment of the Postmaster General and the expert officers of the Government who have investigated it is worth quite as much as my superficial investigation and the investigation of the able Senator from New Jersey, and I think they are quite as honest and patriotic as Members of this body. They know more about this question than any Senator knows about it, and they are not interested in anything else than the public service. They have no friends with investments to protect. It matters not with them whether the \$10,000,000 or \$7,000,000 invested in the tubes pay dividends or not. They are sworn to serve their Government and the American people, and I believe they are doing it fearlessly and well.

Now, listen, I repeat, what they say about it:

The percentage of mail of all classes which is first class is 12. Percentage of letter mail received and dispatched by tubes at stations having tube service, New York, 46.92.

Mr. WEEKS. Does that refer to weight or to pieces?

Mr. VARDAMAN. It means for the total mail.

Mr. WEEKS. I mean is the Senator using the basis of pieces or of weight?

Mr. VARDAMAN. I am using the basis, as I said, of letter mail received and dispatched by tubes at stations having tube service; that is, letter mail that is sent through the tubes.

Mr. WEEKS. What I want to know is, does that mean 12 per cent of pieces or 12 per cent of weight?

Mr. VARDAMAN. No; it is 12 per cent of all the mail.

Mr. WEEKS. Total of what; weight?

Mr. VARDAMAN. I suppose it means 12 per cent of the mail. In New York it is 46.92; Brooklyn, 47.75; Boston, 89.36; Chicago, 67.03; St. Louis, 80.96; Philadelphia, 67.44.

Now, the percentage of mail of all classes received and dispatched by tubes at stations having tube service is 5.63 at New York, at Brooklyn 5.73, at Boston 10.72, at Chicago 8.04, St. Louis 9.71, Philadelphia 8.19.

Percentage of letter mail received and dispatched by tubes that can be handled by existing means of transportation without delay or additional expense, New York, 82.21; Brooklyn, 90.82; there is no data given for Boston; Chicago it is 87.73; St. Louis, 82.79; Philadelphia, 97.46.

Percentage of entire volume of mail handled at tube stations for which it will be necessary to provide other means of transportation if tubes are abolished—New York 1, Brooklyn, 0.53; no data for Boston; 0.99 for Chicago; 0.68 for St.

Louis; 0.21 for Philadelphia. Cost per mile for tube service \$17,000 in all these cities. Cost per mile for transporting entire volume of mail arriving and departing on all railroads in New York, \$16,764 (that includes Brooklyn; Boston is \$6,038; Chicago, \$26,509; St. Louis, \$7,236; and in Philadelphia, \$15,898).

Cost of present surface transportation (excepting collection service) in New York, \$568,873; in Brooklyn, \$142,367; in Boston, \$99,549; in Chicago, \$346,308; in St. Louis, \$101,752; in Philadelphia, \$133,216.

Cost of existing tube service in New York, \$449,293; Brooklyn, \$22,950; Boston, \$115,158; Chicago, \$168,419; St. Louis, \$33,796; Philadelphia, \$169,998, making a total of \$959,614.

The estimated cost of surface transportation if tubes be abolished is \$250,000 in New York (that includes Brooklyn), \$29,000 in Boston, \$28,000 in Chicago, \$4,700 in St. Louis, \$34,000 in Philadelphia, making a total of \$345,700.

The estimated annual saving in New York is \$199,293, Brooklyn \$22,950, Boston \$86,158, Chicago \$140,419, St. Louis \$29,096, Philadelphia \$135,998, or a saving if the report of this committee shall be adopted to the people of the United States of \$613,914.

Mr. WALSH. Mr. President—

The PRESIDING OFFICER. Does the Senator from Mississippi yield to the Senator from Montana?

Mr. VARDAMAN. I yield to the Senator.

Mr. WALSH. I should like to ask the Senator what the percentage of increase of haulage would be if the mail now transported by tubes were transported by means of automobile trucks—that is, through all these cities?

Mr. VARDAMAN. It is right here; I just read it. Percentage of entire volume of mail handled at tube stations for which it will be necessary to provide other means of transportation if tubes are abolished, in New York, 1; in Brooklyn, 0.53; no data for Boston; in Chicago, 0.99; in St. Louis, 0.68; and in Philadelphia 0.21.

Mr. WALSH. Let me inquire, Is it the opinion of the Senator from Mississippi that no additional trucks would need to be put upon the streets for the purpose of effecting a haulage?

Mr. VARDAMAN. It would require some, I think.

Mr. WALSH. How many?

Mr. VARDAMAN. Here it is. Percentage of letter mail received and dispatched by tubes that can be handled by existing means of transportation without delay or additional expense, in New York, 82.21; in Brooklyn, 90.82; no data for Boston; in Chicago, 87.73; in St. Louis, 82.79; and in Philadelphia, 97.46.

As a matter of fact, Mr. President, when this matter was brought to my attention I could not understand, as I stated a moment ago, and I do not understand now—if we indulge the presumption that the Postmaster General is honest, patriotic, and worthy of the great place he occupies, and I believe he is; if those associated with him in this investigation are capable, sincere, and trustworthy, and I believe they are; if they have stated the truth in this report—I repeat, I can not see how there can be any justification for the continuance of this tube service. But it is urged by the proponents of this measure that additional trucks upon the streets will bring about congestion of the commerce of the city; that they will hinder and delay the movement of commerce along the streets. Now, I submit that nobody raised that question when the merchants of Boston abandoned the tubes and put upon the streets wagons for distributing their goods throughout the city. The number of trucks that will be necessary to carry the mail that is now carried by the tubes in addition to the trucks already in use by the Post Office Department is so infinitesimally small that it will not block the channels of commerce in these great cities to any appreciable extent. In conversation with the Postmaster General about this matter he said to me with great earnestness that if he had the power to act for the Government he would abandon the use of the tubes, even if the stockholders were to deed the entire system to the Government without cost, because he thought it would be a wise economy and a great saving of public funds, besides adding materially to the efficiency of the service.

Mr. WALSH. That is what I wanted to inquire about.

Mr. JONES and Mr. WADSWORTH addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Mississippi yield; and if so, to whom?

Mr. VARDAMAN. I will yield to the Senator from Washington in a moment.

Mr. WALSH. I simply want to inquire of the Senator if he can tell us what additional percentage of trucks it would be necessary to put upon the streets in order to do this work?

Mr. VARDAMAN. I can not tell the Senator from Montana offhand, but it would require very few more trucks. I now yield to the Senator from Washington.

Mr. JONES. Mr. President, I merely want to say that in the copy of a letter which the Postmaster General wrote, and which I received this morning, I think there is a direct answer to the question of the Senator from Montana [Mr. WALSH]. If the Senator from Mississippi will permit me, I will read just a few lines from the letter.

Mr. VARDAMAN. I shall be very glad to have the Senator from Washington do so.

Mr. JONES. The Postmaster General states:

Approximately 87½ per cent of the mail now transported by tubes can be transported by the present means of surface transportation without additional cost or delay. If the tubes are abandoned, it will be necessary to provide transportation for 12½ per cent of the first-class mail now forwarded by tubes, which represents 0.7 per cent of the entire volume handled at the station having tube service. It can be easily seen that the claim that this would greatly congest the streets is ridiculous.

Assuming the statement of facts to be as the Postmaster General has made it, it gives a pretty good idea as to the situation.

Mr. VARDAMAN. If the Senator from Washington will pardon me, I had already put that information into the Record.

Mr. WADSWORTH. Mr. President—

The PRESIDING OFFICER. Does the Senator from Mississippi yield to the Senator from New York?

Mr. VARDAMAN. I yield to the Senator from New York with pleasure.

Mr. WADSWORTH. The Senator from New York thanks the Senator from Mississippi for his patience, but I had an idea that I might contribute to an answer to the Senator from Montana [Mr. WALSH] when he inquired as to what increase there would have to be in the service of trucks in order to take care of the mail which is now handled in the tubes. The assistant postmaster of the city of New York appeared before the Post Office Committee and incidentally very strenuously urged the retention of the tube service in that city. I might say, in passing, that the present postmaster of New York rose from the ranks, starting in as a civil-service clerk in that office.

He says with respect to that that on two circuits, which in a sense are now paralleled by the tubes, they make 24 trips a day with automobile trucks, while if the tubes were abandoned there would have to be 38 trips a day. On another circuit, where they are now making 20 trips a day with the trucks, if the tubes should be abandoned they would have to make 41 trips. His testimony goes much further into the merits of the case, and at the proper time I shall call it to the attention of the Senate, for the postmaster arrives at conclusions utterly different from those of the Postmaster General.

Mr. VARDAMAN. Mr. President, in reply to the information which the Senator from New York has given for the purpose of showing the necessity for retaining the tubes, let me say that if the trips are made with automobiles or with screened wagons they can be made for so much less than the tubes cost and do the work quite as expeditiously. It costs only about \$3,500 to do the work with trucks, screened wagons, and automobiles, while it costs \$17,000 by the tubes. It strikes me that in these strenuous times, with a depleted Treasury and the enormous outlay which must be made for armaments and other expenses of the Government, when the underpaid clerks and employees of the Government are knocking at the Treasury for help, that this item of three-quarters of a million dollars, aside from the moral question involved, should appeal to Senators as worthy of consideration.

Mr. THOMAS. Mr. President—

The PRESIDING OFFICER. Does the Senator from Mississippi yield to the Senator from Colorado?

Mr. VARDAMAN. I do.

Mr. THOMAS. Will it interrupt the Senator if I inquire whether the Postmaster General's report does not recommend the retention of the tubes between the post office and the Grand Central Station in New York?

Mr. VARDAMAN. Yes; he recommends that with reference to New York.

Mr. President, I have discharged what I believe to be my duty to the American people. I have put into the Record the facts of the case as I understand them. It now remains with the Senate to do as its sense of prudence, economy, and loyalty to the American people may dictate.

Mr. President, I now ask permission to print as a part of my remarks a letter from the Postmaster General which is addressed to the Senator from Alabama [Mr. BANKHEAD], chairman of the Committee on Post Offices and Post Roads.

The PRESIDING OFFICER. In the absence of objection, permission to do so will be granted.

The letter referred to is as follows:

FEBRUARY 10, 1917.

HON. JOHN H. BANKHEAD,
Chairman Committee on Post Offices and Post Roads,
United States Senate.

MY DEAR SENATOR BANKHEAD: The bill making appropriations for the Post Office Department for the fiscal year ending June 30, 1918, and for other purposes, now under consideration by the Senate, contains a provision, on page 15, which authorizes and directs the Postmaster General to extend existing contracts for pneumatic-tube service until June 30, 1918. This proposed amendment is a change in existing law and practically nullifies the act of Congress of 1902 relating to this service, which provides:

"(a) That no advertisement shall issue until after careful investigation shall have been made as to the needs and practicability of such service and until a favorable report in writing shall have been submitted to the Postmaster General by a commission of not less than three expert postal officials, to be named by him; and

"(b) Nor shall such advertisement issue until in the judgment of the Postmaster General the needs of the Postal Service are such as to justify the expenditure involved."

In accordance with this act a commission composed of the ablest postal experts in the service was appointed, and, after thorough investigation, recommended that the service be discontinued in the cities of Boston, Brooklyn, Philadelphia, Chicago, and St. Louis. These recommendations had the unanimous approval of the postmasters and supervisory officials of the post offices involved, and from the facts before me I am thoroughly convinced that the needs of the Postal Service are not such as to justify the expenditure involved for pneumatic tubes, as the act of 1902 requires. The rental paid for the tubes (\$17,000 per annum per mile) is exorbitant, and more efficient service can be rendered by other means at less than one-fifth of the cost.

Notwithstanding the inefficiency and limited capacity of the tubes, the rental paid is greater per mile than the entire amounts paid the railroads per mile that enter New York City for carrying the entire volume of mail and approximately three times as much as is paid the railroads that enter Boston for the same purpose.

Owing to the inflexibility of the tube service and because it can not be expanded to meet recurrent or emergent conditions, congestion occurs and great quantities of mail are delayed. Only recently during one evening more than 700 containers were delayed in New York City in the territory below Forty-second Street, where the great financial and business institutions of New York City are located, and because of this fact the congestion caused train connections to be missed and resulted in delays in some instances of 12 hours in reaching the addressee. In Philadelphia the incoming mail on December 29, 1914, was delayed at Penn Square Terminal from 26 minutes to 1 hour and 10 minutes before even the first container of mail from each train could be sent through the tubes; and similar conditions prevail in other cities where any quantity of mail is to be transported.

Such conditions in the Postal Service are deplorable, and in justice to the public steps should be taken to render more efficient service.

Approximately 87½ per cent of the mail now transported by tubes can be transported by the present means of surface transportation without additional cost or delay. If the tubes are abandoned, it will be necessary to provide transportation for 12½ per cent of the first-class mail now forwarded by tubes, which represents 0.7 per cent of the entire volume handled at the stations having tube service. It can be easily seen that the claim that this would greatly congest the streets is ridiculous.

The contracts for this service will expire on March 4, 1917, and the department is not under the least moral obligation to renew these contracts or to continue the service further, and the representatives of one of the companies so admitted when appearing before your committee.

This pneumatic-tube service as a means of transportation is obsolete and has little or no merit. To continue its use would be an extravagance and waste of public money. The companies, realizing this, have no hope of securing a renewal of their contracts under the law of 1902, and are now endeavoring—although they admit the department is not under the slightest obligation to them to have the service extended—to continue the service by having Congress direct the Postmaster General to extend the contracts to June 30, 1918. If this amendment prevails and the Congress directs the extension of the contract without competition or regard to the merits of the service involved, it will be establishing a precedent, as there would be nothing to prevent any other contractor for any other branch of the service coming to Congress and asking that the same consideration be shown him.

That the pneumatic tubes as a means of transportation are obsolete can not be demonstrated better than by the fact that a large portion of the system in Boston, which was installed more than 15 years ago for the use of the merchants in transporting parcels, proved an absolute failure and was abandoned and then railroaded on the Postal Service.

The department is confronted with this situation—whether it shall continue the use of the service at an enormous rental and continue to impose on the public an inefficient service by delaying its mail when the mail can be expedited by other means which are efficient and which can save the Government \$618,000 each year.

The Postmaster General is charged with the responsibility of administering the Postal Service in an efficient manner, and must stand the criticisms of the public when he fails to do so. For that reason he should not have an inefficient service imposed on him, and I trust that the amendment will not prevail and that the department will be permitted to undertake the responsibility for working the matter out in its own way under the law as Congress has written it and in the interest of the public and without an extravagant waste of money.

Very sincerely,

A. S. BURLISON,
Postmaster General.

During the delivery of Mr. VARDAMAN's speech,

Mr. BRYAN. Mr. President—

Mr. VARDAMAN. I yield to the Senator.

Mr. BRYAN. Will the Senator allow me to make a motion with reference to the hour of meeting to-morrow?

Mr. VARDAMAN. Certainly; I will be very glad to yield for that purpose.

Mr. BRYAN. I move that when the Senate adjourns to-day it be until 10 o'clock to-morrow.

Mr. PENROSE. Mr. President—

The PRESIDING OFFICER. Does the Senator from Mississippi yield?

Mr. VARDAMAN. I have yielded for that purpose, but I was going to ask the Senate, if there is nothing else to engage the attention of the Senate to-night, to give the friends of the flood-control bill an opportunity to discuss that measure at a night session.

Mr. BRYAN. That would not interfere with this motion.

Mr. PENROSE. If the Senator will permit me, I earnestly hope the Senator will not insist on meeting at the hour of 10 o'clock. Experience has shown conclusively, I think, that we accomplish nothing by it except greatly inconveniencing those Senators who are conscientious enough to be here when the Senate meets. We wait for 30 or 40 minutes to get a quorum and just waste our time and the time of the Senate.

Mr. BRYAN. It seems to me it is just a choice between meeting at an early hour to-morrow and having a night session, and I feel sure that we would not be likely to have a quorum to-night.

Mr. PENROSE. I am as sincerely anxious to expedite the legislative program as any member of the majority.

Mr. VARDAMAN. If this discussion is going to continue, I decline to yield any further.

Mr. PENROSE. I beg the Senator's pardon; I understood we were discussing in a kind of unanimous-consent way the suggestion of the Senator from Florida. If I am wrong, of course, I will yield.

Mr. VARDAMAN. I have no objection to yielding to the Senator at all. Go ahead.

Mr. PENROSE. That is what I thought, that I had the Senator's consent. I am as earnestly anxious as any Member of this body to expedite the legislative program and get every bill passed that properly ought to be considered in the limited time allowed, and let us adjourn. I view with abhorrence the mere possibility of an extra session unless something unexpected occurs to require it. But experience shows, and I think a little reflection will convince the Senator from Florida of the fact, that we accomplish nothing by trying to overwork the Senate. We are all busy men; we have committee meetings and other matters outside of our actual physical presence on this floor.

Mr. BRYAN. Would the Senator prefer to go on to-night rather than to meet earlier to-morrow?

Mr. PENROSE. I have no personal preference one way or the other, but I know you will not have a quorum here at 10 o'clock to-morrow, and you may have to wait until nearly 11 o'clock to get a quorum. I doubt whether you would have a quorum to-night. My suggestion would be—

Mr. VARDAMAN. Will the Senator consent to have a night session to consider the flood-control bill?

Mr. PENROSE. Yes; as far as I am concerned.

Mr. WEEKS. Mr. President—

The PRESIDING OFFICER. Does the Senator from Mississippi yield to the Senator from Massachusetts?

Mr. VARDAMAN. I yield to the Senator from Massachusetts.

Mr. WEEKS. I hope to have an opportunity to make some comments on this matter. I have a very important engagement to-night, and it would be extremely inconvenient for me to attend. I am willing that the Senate shall convene at 9 o'clock to-morrow, so far as that is concerned.

Mr. VARDAMAN. I should be glad to meet the Senator's convenience by confining the discussion to-night to the flood-control bill.

Mr. BRYAN. If the Senator will permit me just a moment, it was my idea that the Senate would stay in session until 6.30 and go on discussing this bill.

Mr. SMOOT. Six o'clock.

Mr. BRYAN. Or 6 o'clock. At any rate, it was not the intention to adjourn immediately; but while a number of Senators are here who will probably not remain much longer I wished to make the motion. If agreeable to the Senator from Mississippi, I will move that when the Senate adjourns to-day it be until 10 o'clock to-morrow.

Mr. PENROSE. Mr. President—

The PRESIDING OFFICER. Does the Senator from Mississippi yield to the Senator from Pennsylvania?

Mr. VARDAMAN. I yield to the Senator from Pennsylvania.

Mr. PENROSE. If the Senator from Florida insists on overtaxing this body with work which I know they are not willing to respond to, I want to say that, while I do not want to make myself disagreeable, I shall insist on having a quorum during these extraordinary hours. My advice to the Senator would be to go along as he is doing. He is making good progress; we are drawing very nearly to the end of this bill; and he will

gain just as much by having us here fresh and invigorated and attentive to the job instead of having the bell ringing every 15 minutes to summon laggards into the Chamber.

Mr. BRYAN. I hope the Senator will be here at 10 o'clock to-morrow.

Mr. PENROSE. I will be here, and I want the rest here.

Mr. BRYAN. I ask the Chair to state the motion.

The PRESIDING OFFICER. The question is on the motion of the Senator from Florida, that when the Senate adjourns to-day it adjourn to meet at 10 o'clock to-morrow.

The motion was agreed to.

After the conclusion of Mr. VARDAMAN's speech, Mr. MARTINE of New Jersey obtained the floor.

Mr. POINDEXTER. Mr. President—

The PRESIDING OFFICER. Does the Senator from New Jersey yield to the Senator from Washington?

Mr. MARTINE of New Jersey. I yield to the Senator.

Mr. POINDEXTER. Mr. President, I desire to renew the point of order which I made against this provision, and I beg leave briefly to state the grounds upon which I make the point of order. I make it, first, upon the ground that the amendment is general legislation. The general legislation consists in the fact that it contains a mandatory provision requiring the Postmaster General to make a contract for pneumatic tubes. There is no such law now upon the statute books, and the provision to that effect in this amendment is a new law of a general nature, changing the existing law. It is general legislation. Consequently, it comes within the prohibition of the rule of the Senate as to general appropriation bills.

Furthermore, the amendment provides for the establishment of a commission consisting of three members of the Committee on Post Offices and Post Roads of the Senate, to be appointed by the Vice President, a similar committee on the part of the House of Representatives, and so forth, as to the constituent members of the commission.

It then proceeds to define the duties and powers of the commission, "to investigate the value of the pneumatic-tube service, their properties, their franchises, and other equipment, with a view to the purchase and operation of the same, or any portion thereof, by the Government, and to ascertain the cost and the terms upon which such purchase may be made." That has nothing whatever to do with the limitations upon the use of the money that is appropriated by this bill. It is a new subject matter, distinct in itself, and of a most general nature.

Mr. VARDAMAN. If the Senator from Washington will permit me right there, I think the failure of the other House to go any further than it did was because it desired to avoid the question which the Senator is now raising.

With this bill as the House passed it and with the present law un repealed, the Postmaster General can not be compelled to make these contracts. It is only by this amendment, which repeals a general law, that this service can be continued. I myself think that the amendment is subject to a point of order.

The PRESIDING OFFICER. The Chair is ready to rule on the point of order.

Mr. LODGE. Mr. President, I should like to be heard on the point of order, if I may be.

The PRESIDING OFFICER. The Chair will say to the Senator before he argues the matter that the Chair has changed his mind as to the announcement he made some time ago. Upon further consideration it seems to the Chair now that the point of order is good.

Mr. LODGE. Mr. President, in the first place, this amendment contains two distinct propositions, and I ask that it be divided.

The PRESIDING OFFICER. If there is no objection, that course will be followed.

Mr. LODGE. I think under the rules the division has to be granted.

I now address myself to the first division of the amendment. The first division of the amendment relates wholly to the appropriation made. It has been held over and over again in both Houses that any provision limiting or directing or controlling in any way the expenditure of money appropriated is in order. I think there can be no doubt about that general proposition. Of course, the proposition that we can not compel the Postmaster General to make a contract or prevent his prohibiting a contract being made is untenable. We can direct him to do anything we please. But my single point is that the first part of the amendment which is now divided, and therefore the first amendment really, relates solely to the control of the appropriation. The second part of the amendment relates to the creation of a commission and the appropriation of money, which, so far as I know, is not estimated for; but I think that it has been

held in the past that provision for a commission concerned with the investigation of an expenditure of money appropriated in the bill is in order. However, I am not discussing that now. I am making my contention in favor of the first division of the amendment being in order on the ground that it relates solely to the control of the appropriation.

The PRESIDING OFFICER. Does the Senator from Washington make his point of order to the separate portions of the amendment as they now stand?

Mr. POINDEXTER. I do.

The PRESIDING OFFICER. The first portion of the amendment contains no new proposition. The amount of compensation is not increased or the nature of the service changed. It does not propose new legislation. It seems to the Chair that that part of the amendment is clearly in order.

Mr. POINDEXTER. Mr. President—

Mr. LODGE. I think the Chair ought to be allowed to rule without interruption.

The PRESIDING OFFICER. The Chair will be glad to hear the Senator.

Mr. POINDEXTER. It seems to me the Chair is fully capable of protecting himself in that regard, and that a Senator has a perfect right to make an inquiry of the Chair.

Mr. LODGE. Not in the midst of the Chair's ruling. I never before saw that done in the Senate.

The PRESIDING OFFICER. The Chair had about completed his ruling, and will be glad to hear from the Senator from Washington.

Mr. POINDEXTER. Mr. President, I only want to say a word in that connection, and that is that, in my view, the first half of this amendment contains a far more vital and substantial change of existing law than the second part. As the law now stands the Postmaster General is not required to make contracts for pneumatic-tube service; whereas, if this amendment is adopted, the Postmaster General has no discretion in the matter, but is required to make a contract for pneumatic-tube service. So that the whole question of the use or the abandonment of pneumatic tubes for transporting the mails—and that is the only question that is being argued here—depends upon the adoption or rejection of this amendment. It must be general legislation if that is the case, and it seems to me that it is the case and can not be denied.

The PRESIDING OFFICER. The House entered into that subject and provided for the continuance of the service now existing; and the House, having entered into that subject, under the rulings heretofore made in analogous cases by the Vice President, the amendment would be in order; that is, as to the first division of the amendment, which the Chair will be compelled to hold is in order.

The second division, creating a commission and authorizing the employment of experts and other assistants, is clearly general legislation, and the point of order will be sustained as to that.

Mr. POINDEXTER. I will take an appeal from the decision of the Chair.

Mr. VARDAMAN. May I ask the Chair to state definitely to me what part of the amendment he holds not to be in order?

The PRESIDING OFFICER. The Senator from Massachusetts [Mr. LODGE] asked to have the amendment divided. The first division is that down to and including the word "authorized," in line 20. To that part of the amendment the Chair overrules the point of order, but sustains it as to the remainder of the amendment, on the theory that the remainder is new legislation.

Mr. VARDAMAN. The Chair holds, then, that the amendment is in order down to line 20?

The PRESIDING OFFICER. Yes.

Mr. MARTINE of New Jersey. I should like to ask what effect that ruling will have on the amendment as a whole?

The PRESIDING OFFICER. The amendment stands down to line 20.

Mr. MARTINE of New Jersey. Mr. President, I am a member of the Committee on Post Offices and Post Roads, and listened very diligently and industriously to the whole discussion of the pneumatic-tube service. I feel that I am doing my duty to the constituency I represent and to the United States just as zealously as is the Senator from Mississippi when I utterly disagree with his conclusions.

Pneumatic tubes are a very practical method of mail transportation. It is true the Postmaster General rebels against it; it is true that a commission, selected, I believe, by the Post Office authorities, made an investigation and submitted a report urging the discontinuance of the pneumatic-tube service; but before the Committee on Post Offices and Post Roads we had very extensive hearings, running for some six or seven days. Mayor Mitchel,

of the city of New York, appeared before us and declared in the most positive terms that it would be a step backward and a disaster to the mercantile and commercial interests of New York to have the pneumatic-tube system abandoned. We also had before us the postmaster of the city of New York, whose name was given, I think, by the Senator from New York, who declared in equally positive terms that the pneumatic tubes furnished a most efficient adjunct to New York's postal facilities, and that they would not know what to do without that service. We also had before us merchants ad libitum, prominent business men and commercial men, who, without reference to party or partisan considerations, gave testimony of the value of this service because of their great interest in the commerce and business of New York. We had before us the official who has charge of the traffic of the city, and asked him what would be the condition if the travel should be augmented in the congested sections of New York. He said the result would be nothing less than disastrous. The universal consensus of opinion was that we would not be doing our duty toward transportation in the city of New York and the mail facilities of that great community if we did not adhere to the present system. We were told of the frequent congestion on the railroads, of their being held up by snow and troubles caused by other conditions. I imagine that some investigations which have been made in the past were very cursorily made. They did not get together at all the citizens whose business interests were affected, and the public knew nothing of them.

Then there appeared before the committee representatives from the city of Boston. I do not know whether we had before us the mayor of that city, but we had members of the board of trade and of the chamber of commerce, the postmaster, and representatives of commercial and mercantile interests, who brought photographs showing the conditions of congestion in the narrow, crooked streets of that busy metropolis. We listened to them and listened to the merchants and to the officials connected with the service.

Mr. VARDAMAN. Will the Senator yield to me for a question?

Mr. MARTINE of New Jersey. Certainly; I will be more generous than the Senator was with me.

Mr. VARDAMAN. I do not think the Senator could be.

Mr. MARTINE of New Jersey. I will listen to the Senator's question.

Mr. VARDAMAN. I merely want to ask the Senator if he intends to state what the postmaster of Boston, the postmasters of Chicago, of Philadelphia, and of St. Louis said about it. They are Government officials charged with a very serious duty.

Mr. MARTINE of New Jersey. I have no reflection to make upon the Government officials. I have no reflection to make upon the Postmaster General nor this commission that the Postmaster General instigated or started; but I have just this to say, as a simple human being: Their judgment in practical matters is no better than mine and no better than that of the Senator from Mississippi. In the light of all the information that we have, as I say, from the city of New York and from Brooklyn—one city—my judgment was, and the judgment of the committee, was that it was wise to continue the tube system. We had before us these gentlemen from Boston, and their consensus of opinion was just in the same direction, that it would be a step backward and a disaster. We had that opinion in Philadelphia as well. Of course Philadelphia is situated rather differently from some of the others. Their streets are straight and not as crooked as they are in Boston; but we have the testimony of the gentlemen connected with the Post Office Department that on Chestnut Street and some of those narrow streets which are only one-way-travel streets in the city of Philadelphia, anything like abandoning this pneumatic-tube service would add to the congestion, and be a danger and a disaster. We did have the matter of St. Louis, that the Senator mentioned. It is true, with reference to carrying it out to East St. Louis—I think that was the plea that was brought before us—I thought that was not so well substantiated. But in Chicago the testimony was universal that it would be a step backward, and that it would be unwise for us to abandon the tube system. It would multiply the congestion on the streets and would not facilitate the mail transportation in these great cities.

Now, of course, I heard a good deal of talk to the effect that there was a "job" in it. I feel that \$17,000 a mile is too high a yearly rental for the Government to pay. I have always advocated, but particularly since this came to me I have felt, that the Government of the United States should own this system as much as they own the mailbags that carry the mail. They should own this transportation system, this underground system. I think that \$17,000 per mile is too much; but our suggestion—

Mr. THOMAS. Mr. President, may I interrupt the Senator? The PRESIDING OFFICER. Does the Senator from New Jersey yield to the Senator from Colorado?

Mr. MARTINE of New Jersey. Yes, sir.

Mr. THOMAS. I should like to inquire whether the company or companies—

Mr. MARTINE of New Jersey. Two companies, I think, own all the tubes in these five cities.

Mr. THOMAS. Whether they pay to the cities anything for the use of the streets?

Mr. MARTINE of New Jersey. I can not answer that question. They spoke about the cost of construction, which, I thought, was padded up too high. I do not know whether they pay for their franchise or not. They pay for their patents, I understand. I think I asked that of one of these gentlemen, but I got no satisfactory response.

Mr. THOMAS. They probably do not.

Mr. MARTINE of New Jersey. I think very likely they do not. But, as I say, I am in favor of the Government becoming the owner; and I think our proposition as presented by the committee is a laudable one, a straightforward one, and a businesslike proposition.

Of course, we can not take over these tubes in a trice. We can not take them over by simply saying so. We must appraise their value and arrange for payment for them. In the meantime it would be a misfortune and a disaster to the mercantile and commercial public to have their mails stagnate. So we submit a proposition for a re-lease or a renewal of the contract for a time—I can not just recall the time specified in the bill—that a renewal of the contract shall be made for a specified time, and that then a commission shall be appointed to appraise the value of the system, and let the Government take it over.

I tell you, Mr. President, you can hardly picture the situation in the city of Boston, or in the city of New York, or in the other congested cities where travel is simply intense and people are crowded in almost like sardines in a box; so that it is a crime, I believe, for us to add to the congestion by adding new automobiles or means of transportation when we have a method underneath the surface that can transport this mail and is doing it. I asked every one—I think the Senator from Mississippi was present—whether it was doing efficient service now. The answer was, "Yes," in New York. "Is it doing efficient service?" I asked of the gentleman in St. Louis. "Yes." "Is it doing efficient service in Boston?" "Yes."

Mr. VARDAMAN. I think the great congestion was in Boston.

Mr. MARTINE of New Jersey. It is.

Mr. VARDAMAN. Now, of course, the wagons employed to carry the mail are not so numerous as the wagons employed to deliver goods, and yet this Boston system that was designed to convey merchandise underground has been abandoned as a useless and expensive system, and it is remarkable that the business interests of Boston did not urge them to continue it.

Mr. MARTINE of New Jersey. Whether it was abandoned because it was an expensive method or not, I do not know. In answer to the Senator from Colorado, who raised the question whether this system was not first built for the carriage of parcels, I will say that it was; but that does not militate against its usefulness. It was finally narrowed down to an 8-inch tube. I think it was originally from 10 to 20 inches. It has narrowed down to an 8-inch tube in Boston. That does not militate against it.

Why, sir, at this very day in London they are building tubes run by atmospheric pressure, for the purpose of carrying and transporting the mails, that are infinitely more than 8 inches in diameter. They are tremendous in size. It is not entirely confined to a small tube. Why, sir, it was my experience, I will say, to have ridden, many years ago—it makes me feel old when I think of it—for two blocks on Broadway in a tunnel that was known as the Beach pneumatic tube. That tunnel was 7 feet in diameter and had a car fitting in it with a tightly fitting piston, and I was driven two blocks backward and forward, to and fro, with a pneumatic system.

I do feel, Mr. President, that the abandonment of this service would be a step backward. I feel that we were entirely justified in making the report that emanated from the committee of which the Senator from Alabama [Mr. BANKHEAD] is chairman, and I hope the Senate of the United States will ratify this feature whatever else they may do.

Mr. WALSH. Mr. President, a parliamentary inquiry. I ask if it is the understanding of the Chair that an amendment proposed by a committee may be divided for the purpose of the application of the rule which forbids an amendment contemplating general legislation?

My understanding of the practice which has heretofore prevailed here, practically without exception, is that any amendment tendered is obnoxious to the rule if it contains in any part of it general legislation; and that for the reason that the amendment tendered must necessarily be considered as a whole, each part of the amendment being an inducement for the reporting of every other part of the amendment.

In this particular instance it may well be assumed that the second part of the amendment was put on to meet the objections of those who found the first part objectionable without it; in other words, that the committee would not have reported the first part of the amendment if the second part were not incorporated in the amendment. It occurs to me that it does violence to the action of the committee to cut from the amendment an essential part of it and proceed to the consideration of the remainder, which may not ever have received the concurrence of the committee.

But, Mr. President, without any regard to the particular features of this amendment I think I speak from a very accurate recollection of repeated rulings of the Chair to the effect that an amendment must be regarded as a whole, and that if in any of its features it makes provision for general legislation, the objection lies against the amendment.

Mr. LEWIS. Mr. President, I should like to point out to my able friend from Montana the fallacy of his logic, as I see it.

The rule prohibits an attempt at general legislation upon an appropriation bill. Supposing a whole paragraph contained 10 lines of matter wholly appropriate, and it had a period, and then two lines beginning with a paragraph that really did amount to general legislation. The obnoxious part of the paragraph would be that part that violated the rule. That which was wholly permissible would be that part that did not violate the rule. The fact that a part that was wholly separate might violate the rule would not justify the denouncing of the whole paragraph and chapter, much of which in nowise violated the rule.

The able Senator from Montana—a most excellent lawyer, with renown in the country of the West where he lives—has too often confronted the proposition that a paragraph in an act may be unconstitutional, but the whole act does not fall thereby; a provision in a law may be invalid, but the whole law in all its provisions does not fall thereby. Therefore, I think the real test must be that part of the law or that part of the provision which in itself is the violation, not all the remainder, which in no wise may be in itself, in its subject matter, or in its relation a violation.

Therefore, I take issue with the viewpoint of the able Senator from Montana in the legal deduction which he assumes to draw; and I, of course, favor, as I am naturally favorable to, the position taken by the Senator from Massachusetts [Mr. LODGE].

Mr. LODGE. Mr. President, it makes no difference what the purpose of the committee was in offering the amendment, or what the purpose of a Senator is in offering an amendment, the right to ask for a division of the question under debate is an absolute right vested in any Senator. There is no limitation on the purpose; he may have it divided. I asked to have it divided before I discussed the point of order. The rule is plain:

If the question in debate contains several propositions, any Senator may have the same divided.

The PRESIDING OFFICER. The Chair sees no escape from Rule XVIII:

If the question in debate contains several propositions, any Senator may have the same divided.

Mr. GALLINGER. Mr. President, the Book of Precedents has almost innumerable instances where amendments have been divided. If there were any need of it, the Presiding Officer might turn to page 35 in the Book of Precedents and he would see that as far back as 1820, and again in 1859, this question was up; and in every instance it was ruled that if an amendment was properly divisible, the division could be demanded. There is no question about it.

Mr. WALSH. Mr. President, I trust the Senator from New Hampshire is not of the opinion that the Senator from Montana ever questioned the right to have an amendment divided for the purpose of voting on the amendment.

Mr. GALLINGER. I did understand that that was the Senator's position.

Mr. WALSH. I certainly did not intend to convey that idea. Of course, I recognize the right to have an amendment divided into various propositions and to have a vote taken upon the various propositions. That is not the question at all. The

precedent that would be pertinent to the case would be a precedent which permitted the question to be divided in order to determine the application of the rule against general legislation. That was the question that I submitted.

Mr. GALLINGER. When the question was divided the rule would be invoked against each division of the question.

Mr. LODGE. It has been.

Mr. GALLINGER. And it has been.

Mr. WALSH. That is what has been done; but I have in mind a specific instance in which the Vice President, being in the chair, as my recollection is, ruled that it could not be done; that the amendment must be regarded as an entirety. It was an Indian appropriation bill, and the bill carried an appropriation in relation to the Blackfeet Indian Reservation, and then carried an extensive provision in relation to opening a portion of the Blackfeet Reservation. The point of order was raised by the Senator from Kansas [Mr. CURTIS]. He pointed out that it was an appropriation which contained general legislation. That was conceded, and the whole amendment went out; and the bill went back to the committee, which reported back simply the appropriation feature.

Mr. GALLINGER. I do not recall that instance. I am sorry if the Vice President did make a ruling of that kind, because it certainly is contrary to most of the precedents of the Senate during the time I have been in the service of the Senate. It may be that in that instance the point of order would lie against both provisions of the bill. I do not know the circumstances of it.

Mr. BRYAN. Mr. President, I remember that the decision was made by the Chair on the Post Office appropriation bill last year that you had to take the whole amendment or reject it; that it all had to stand or fall together; but it was not the Vice President who made that ruling. It was the Senator from Montana. [Laughter.]

Mr. WEEKS. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Chair would suggest that if the Senate is to adjourn at 6 o'clock, it might be a good plan to let this matter go over until to-morrow, and then the Vice President will be here.

Mr. WEEKS. In what shape is it?

Mr. BRYAN. Mr. President, I want to say one word more, and then I shall be through.

I do not believe the second part or any part of this amendment is subject to a point of order. The proviso is a limitation upon the appropriation. It seems to me it is a stretch of language to say that Congress can not create a commission merely to report back to Congress, and call that general legislation in the sense meant by the rule.

Mr. VARDAMAN. Mr. President—

The PRESIDING OFFICER. Does the Senator from Florida yield to the Senator from Mississippi?

Mr. BRYAN. I do.

Mr. VARDAMAN. I have such great respect for the Senator's knowledge of parliamentary law that I dislike to imperil my own reputation by differing from him, but I want to ask the Senator if the law providing that the Postmaster General shall have this investigation made and the result of it reported before another contract shall be made is in force to-day?

Mr. BRYAN. No; the contract is about to expire, or has expired once, and my recollection is that Congress last year extended it for a few months. That is not the point covered in this amendment, however. The House provision appropriates the money. The Senate amendment makes the same appropriation, but provides that the Postmaster General shall continue existing contracts.

Mr. VARDAMAN. Does the Senator think that if the Senate had concurred in the House provision the Postmaster General under that act would have been compelled to renew the contract?

Mr. BRYAN. Undoubtedly the Postmaster General would have been required to pay for the pneumatic-tube service in these cities under the House language.

Mr. VARDAMAN. It does not repeal the existing law, which says that he shall do certain things before he can make the contract?

Mr. BRYAN. No; but the Senator confuses the House rule with the Senate rule. In the House you can not change existing law. That is their rule. Our rule says nothing about existing law.

Mr. LODGE. Nothing whatever.

Mr. BRYAN. The test here is whether or not it is general legislation.

Mr. LODGE. Mr. President—

Mr. VARDAMAN. But the Senator does not, perhaps, understand—

The PRESIDING OFFICER. To whom does the Senator yield? The Senator from Florida has the floor.

Mr. BRYAN. I only rose to answer a question.

Mr. VARDAMAN. If I may be permitted to do so, I wanted to get the Senator's opinion about that. The idea which I want to bring out is the fact that there is a law now upon the statute book under which the Postmaster General acted in making this investigation. That law requires him to make this investigation before any contract could be renewed.

Mr. BRYAN. Yes. That commission has expired, however.

Mr. VARDAMAN. The Senator thinks that that law is exhausted, does he?

Mr. BRYAN. The commission has made its report.

Mr. VARDAMAN. I know it is the opinion of men who have given thought to this question in the House that the provision in that bill would not compel the Postmaster General to act if the Senate agreed with the House and adopted the House provision. Now, in order to do that you have gone ahead and repealed a general law, an existing law, by amendment onto an appropriation bill.

Mr. BRYAN. No.

Mr. LODGE. Mr. President—

The PRESIDING OFFICER. Does the Senator from Florida yield to the Senator from Massachusetts?

Mr. BRYAN. I yield.

Mr. LODGE. The law directed the commission to report a year ago last December and the time expired. The report was not sent in in conformity with law. It dragged along and dragged along and nothing was done. Congress made another appropriation and the Postmaster General saw fit not to expend it.

Mr. BRYAN. What the Senator from Mississippi has in mind is this: The House made an appropriation placing it within the power of the Postmaster General not to expend the money. The amendment provides that he shall expend the money by continuing this service for a year.

Mr. WEEKS. Mr. President, I wish to understand the parliamentary situation. I understand that the Senator from Washington has appealed from the decision of the Chair. If the Senate adjourns now, would that open up this whole question in the Senate to-morrow?

The PRESIDING OFFICER. The Chair did understand that an appeal was taken, so that it will open up the whole question to-morrow.

Mr. POINDEXTER. An appeal was taken, and one purpose I had in rising was in order to call attention to it so that there would be no uncertainty about it.

In this connection, as it will go over until to-morrow, I should like to say, in order that it may be in the RECORD in the morning when the matter comes up as the basis of the point of order which I have made and of the appeal, that the appeal is only taken from that portion of the Chair's ruling which overruled the point of order as to that portion of the amendment on page 15, from line 12 down to and including the word "authorized" in line 20. The Postmaster General or the First Assistant Postmaster General filed a statement here from which the Senator from Mississippi has read. I do not care to encumber the RECORD by a mere repetition of it, but he says if this amendment is adopted it will compel the expenditure by the Government of \$613,000, which would do the Government no good whatever. If the amendment is not adopted, not a dollar of that amount will have to be expended. In other words, here is a proposed law compelling contracts by the Government which will cost the Government nearly three-quarters of a million dollars and establishing a service which, without the adoption of the amendment, would not exist.

In view of this it is clearly general legislation. The vital and substantial thing in this whole controversy is about what is involved and provided for in this amendment, and in the first part of the amendment, the point of order against which was overruled.

The PRESIDING OFFICER. The Chair desires to say that the Chair agrees with the Senator that it is general legislation, but the House entered on that part of the subject, and consequently the Senate can enlarge it and offer such amendments as may be desired. Upon that part of the amendment the Chair ruled in conformity with what the Chair understands has heretofore been held on that subject by the Vice President.

Mr. POINDEXTER. I appreciate the theory upon which the Chair has ruled, and if the facts in the case were as the Chair construes them to be in this provision, I would agree with the Chair, for I think that is a correct principle. But I differ with

the construction which the Chair places upon the House provision. There is nothing whatever in the House provision establishing this pneumatic-tube service for the year ending June 30, 1918. There is not a word authorizing or attempting to authorize the establishment of any such service. There is no provision in regard to it. It is entirely new matter inserted in the Senate committee amendment. The appropriation of money for pneumatic-tube service by the House, as the House provision stood, could be expended and used by the Postmaster General for that purpose or not, as he saw fit. It was a mere appropriation of money under the existing law. The portion of the amendment to which I am addressing myself takes out of the discretion of the Postmaster General the matter of establishing this pneumatic service and establishes it by law. Consequently it is new matter.

The PRESIDING OFFICER. The question is, Shall the decision of the Chair stand as the judgment of the Senate?

Mr. POINDEXTER. I make the point of no quorum.

Mr. LEWIS. Had we not better adjourn?

Mr. BANKHEAD. I move that the Senate adjourn.

Mr. POINDEXTER. The point of no quorum has been made, but I withdraw it.

Mr. LODGE. That does not lie against a motion to adjourn.

Mr. POINDEXTER. It was made first.

The PRESIDING OFFICER. The question is on the motion of the Senator from Alabama that the Senate adjourn.

The motion was agreed to; and (at 6 o'clock and 8 minutes p. m.) the Senate adjourned until to-morrow, Wednesday, February 14, 1917, at 10 o'clock a. m.

HOUSE OF REPRESENTATIVES.

TUESDAY, February 13, 1917.

The House met at 11 o'clock a. m.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

Almighty Father, look down from Thy throne of justice, mercy, and good will upon Thy children everywhere, and inspire them with higher ideals, purer motives, and earnest endeavors; that ignorance may give way to wisdom, error to truth, and all wrongs be righted; that peace and righteousness may prevail, that the dear old earth may blossom as the rose in every nook and corner, and Thy will be done in every heart through Jesus Christ our Lord. Amen.

The Journal of the proceedings of yesterday was read and approved.

AMENDMENT OF GENERAL DAM ACT.

Mr. ADAMSON. Mr. Speaker, I would like to call up the conference report printed in the RECORD this morning on the bill S. 3331.

Mr. MOORE of Pennsylvania. Mr. Speaker, I make the point of no quorum.

Mr. ADAMSON. Wait a minute.

Mr. MOORE of Pennsylvania. How long will it take?

Mr. ADAMSON. Only a moment.

Mr. MOORE of Pennsylvania. I withdraw my request for a moment.

Mr. MANN. Is that a conference report on the dam bill?

Mr. ADAMSON. Yes.

Mr. MANN. There might be quite a discussion of the bill in the House.

Mr. ADAMSON. I should think not. If any discussion comes it would be on any action the Senate might take afterwards.

The SPEAKER. The Clerk will report the bill by title.

The Clerk read as follows:

A bill (S. 3331) to amend an act entitled "An act to regulate the construction of dams across navigable waters," approved June 21, 1906, as amended by the act approved June 23, 1910, and to provide for the improvement and development of waterways for the uses of interstate and foreign commerce.

The SPEAKER. The Clerk will read the report.

Mr. ADAMSON. Mr. Speaker, the gentleman from Illinois [Mr. MANN] requests that I let it go over temporarily until the naval bill is disposed of. If I can be recognized then, I will agree to that.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Waldorf, its enrolling clerk, announced that the Senate had passed without amendment bills of the following titles:

H. R. 18551. An act granting the consent of Congress to the county of Montgomery, in the State of Tennessee, to construct a bridge across the Cumberland River; and

H. R. 18725. An act granting the consent of Congress to Kratka Township, Pennington County, Minn., to construct a bridge across Red Lake River.

The message also announced that the Senate had passed with amendments bills of the following titles, in which the concurrence of the House of Representatives was requested:

H. R. 455. An act to define the rights and privileges of the trustees of municipally owned interstate railways and constraining the act to regulate commerce with reference thereto;

H. R. 9288. An act providing for the refund of certain duties illegally levied and collected on acetate of lime;

H. R. 19937. An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war;

H. R. 8348. An act to amend an act entitled "An act to create a juvenile court in and for the District of Columbia, and for other purposes";

H. R. 20574. An act granting the consent of Congress to the county commissioners of Decatur County, Ga., to reconstruct a bridge across the Flint River at Bainbridge, Ga.;

H. R. 14471. An act to amend an act entitled "An act to codify, revise, and amend the laws relating to the judiciary";

H. R. 18550. An act granting the consent of Congress to the county of Montgomery, in the State of Tennessee, to construct a bridge across the Cumberland River; and

H. R. 10697. An act for the relief of S. Spencer Carr.

The message also announced that the Senate had passed bills of the following titles, in which the concurrence of the House of Representatives was requested:

S. 7438. An act to make immediately available for the use of the State of Georgia in paying expenses incurred by said State in connection with the joint encampment held at Augusta, Ga., July 22 to 31, 1914, certain sums appropriated for arming and equipping the militia of said State;

S. J. Res. 208. Joint resolution to grant citizenship to Joseph Beech;

S. 8075. An act for the relief of Marguerite Mathilde Slidell d'Erlanger;

S. 457. An act to provide for the appointment of a district judge in the northern and southern judicial districts in the State of Mississippi, and for other purposes;

S. 7601. An act for the relief of Caleb T. Holland;

S. 1379. An act for the relief of James Gloster;

S. 2362. An act for the relief of John Doyle, alias John Geary;

S. 3269. An act for the relief of Francis M. Atherton;

S. 7316. An act for the relief of William Thomas Winstanley;

S. J. Res. 205. Joint resolution authorizing the removal of the statue of Admiral Dupont, in Dupont Circle, in the city of Washington, D. C., and the erection of a memorial to Admiral Dupont in place thereof;

S. 6286. An act to confer jurisdiction on the Court of Claims;

S. 41. An act to provide for agricultural entries on coal lands in Alaska;

S. 7767. An act relating to the temporary filling of vacancies occurring in the offices of register and receiver of district land offices;

S. 7906. An act to authorize the President of the United States, by and with the advice and consent of the Senate, to appoint George L. Morrison captain of Cavalry, to take rank as such next after Capt. James A. Mars;

S. 8113. An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War, and certain widows and dependent relatives of such soldiers and sailors;

S. 7796. An act authorizing the Secretary of the Interior to sell and convey to the Great Northern Railway Co. certain lands in the State of Montana for division terminal yards and other railway purposes, and for other purposes;

S. 8120. An act granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy and of wars other than the Civil War, and to certain widows and dependent relatives of such soldiers and sailors;

S. 3771. An act for the relief of Alfred Cluff, Orson Cluff, Henry E. Norton, William B. Ballard, Elijah Hancock, Susan R. Saline, Oscar Mann, Celia Thayne, William Cox, Theodore Farley, Adelaide Laxton, Clara L. Tenney, George M. Adams, Charlotte Jensen, and Sophia Huff;

S. 8044. An act providing for the extension of time for the reclamation of certain lands in the State of Oregon under the Carey Act; and

S. 6690. An act for the relief of Americus A. Gordon.

The message also announced that the Senate had passed the following resolution:

Senate resolution 357.

Resolved, That at 10 minutes before 1 o'clock on Wednesday, February 14, 1917, the Senate proceed to the Hall of the House of Representatives to take part in the count of the electoral vote for President and Vice President of the United States.

The Vice President had announced the appointment of Mr. CLAPP to serve as a teller on the part of the Senate at said count of the electoral vote in place of Mr. DILLINGHAM, who is unable to act on account of illness.

SENATE BILL REFERRED.

Under clause 2 of Rule XXIV, Senate bill of the following title was taken from the Speaker's table and referred to its appropriate committee, as indicated below:

S. 457. An act to provide for the appointment of a district judge in the northern and southern judicial districts in the State of Mississippi, and for other purposes; to the Committee on the Judiciary.

AGRICULTURAL APPROPRIATION BILL.

Mr. LEVER. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill H. R. 19359, the Agricultural appropriation bill, disagree to all the Senate amendments, and ask for a conference.

The SPEAKER. The gentleman from South Carolina [Mr. LEVER] asks unanimous consent to take from the Speaker's table the Agricultural appropriation bill, disagree to all the Senate amendments, and ask for a conference. Is there objection? The Clerk will report the bill by title.

The Clerk read as follows:

A bill (H. R. 19359) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1918.

Mr. STAFFORD. Reserving the right to object, I wish to direct the attention of the chairman of the committee to amendment No. 92, which seeks to amend section 8 of the nursery quarantine act in some very important particulars. The amendment as incorporated in the bill would grant authority to the Secretary of Agriculture to exclude all stone or quarry products, or any other article of any character whatsoever, from interstate shipment in case he deemed that the admission of them would tend to disseminate insect infestation. I think that is a very important amendment, and to confer such an authority on the Secretary of Agriculture without it having ever been given any consideration in the House would not be in consonance with good legislation, and I think before we allow this bill to go to conference we should have some understanding as to the amendment.

Mr. LEVER. I will say to the gentleman from Wisconsin that I realize this is a very important amendment, and I agree with him and the House now that if the gentleman from Wisconsin or any other Member feels we ought to have a separate vote on it before final agreement, I shall be glad to give the House the opportunity to so vote.

Mr. STAFFORD. I think the House should be given the privilege of considering such a matter before agreeing to it in conference. The subject matter has never been considered in the House. It is something that should not be considered alone by the conferees.

Mr. LEVER. I agree with the gentleman, and I will say that a separate vote will be asked on the proposition unless it is satisfactory.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina [Mr. LEVER]. [After a pause.] The Chair hears none, and announces the following conferees: Mr. LEVER, Mr. LEE, and Mr. HAUGEN.

AMENDMENT TO GENERAL DAM ACT (S. 3331).

Mr. ADAMSON. Mr. Speaker, the gentleman from Illinois [Mr. MANN] withdraws his objection, and I would like to call the conference report up now.

The SPEAKER. The Clerk will read the conference report.

The conference report was read, as follows:

CONFERENCE REPORT (NO. 1453).

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 3331) to amend an act entitled "An act to regulate the construction of dams across navigable waters," approved June 21, 1906, as amended by the act approved June 23, 1910, and to provide for the improvement and development of waterways for the uses of interstate and foreign commerce, having met, after full and free conference hereby report to their respective Houses that it is impossible for the managers on the part of the respective Houses to agree upon any report that would secure legislation in the premises.

They find themselves at such variance on the provisions of the Senate act and the House amendment thereto that they have agreed on a general disagreement, and hereby report to the Senate and House that they can not reach any agreement upon the Senate act and the House amendment thereto under consideration.

W. C. ADAMSON,

T. W. SIMS,

JOHN J. ESCH,

Managers on the part of the House.

JNO. K. SHIELDS,

J. H. BANKHEAD,

KNUTE NELSON,

Managers on the part of the Senate.

The SPEAKER. The question is on agreeing to the conference report.

Mr. ESCH. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. ESCH. Is it in order to adopt the conference report where there is a full disagreement? I base my inquiry on a precedent, No. 6562, volume 5, of Hinds' Precedents.

The SPEAKER. The Chair will examine the precedent.

Mr. ESCH. The precedent may be misinterpreted by myself, but it arose this way: Mr. Otjen, of Wisconsin, a colleague of mine, raised it in connection with certain claims under the Bowman Act, stating that after a full and free conference they had been unable to agree. The report having been read, Mr. Otjen moved that the House further insist on its disagreement to the Senate amendments and agree to the conference asked by the Senate. Mr. Richardson, of Tennessee, made the point of order that the report of the committee should be adopted first. Mr. Reed was Speaker at the time and stated that there was no legislation in the conference report, and therefore there was nothing to act upon.

Mr. ADAMSON. I think it would discharge the conferees at least.

The SPEAKER. Section 6562 of Hinds' Precedents shows that Speaker Reed said:

The Chair hardly sees how the House can agree to a report in which nothing is done. * * * The Chair will have the precedents examined, but his impression is that there is nothing to agree to. * * * There is no legislation in it.

Mr. ADAMSON. It would be easy for the House to agree that the conferees had done nothing. Then they could be discharged.

The SPEAKER. The motion of the gentleman from Wisconsin was that the House further insist. The Chair would think that it was the intention of the House to discharge the conferees. It would be in order to agree to the conference report if they want to hang it up here so as to take it up again.

Mr. ADAMSON. So far as we know, we are done with it.

Mr. GARNER. Mr. Speaker, what harm can there be by leaving the matter in statu quo?

Mr. ADAMSON. The papers could not be sent back unless the conference report is adopted.

Mr. GARNER. Unless it is wearing the gentleman from Georgia or pressing upon him very hard, this duty of being a conferee, the matter could remain just as it is until the end of the session.

Mr. COOPER of Wisconsin. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. COOPER of Wisconsin. Would it be in order to move that the report of the conferees be accepted and the conferees discharged?

Mr. ADAMSON. I think the adoption of the report would do that.

The SPEAKER. If this conference report is agreed to, these conferees are automatically discharged. These papers belong to the Senate.

Mr. MANN. Then, the papers could not be sent back to the Senate.

The SPEAKER. Yes. The Chair believes it is in order to act on this conference report. The question is on agreeing to the motion of the gentleman from Georgia [Mr. ADAMSON] to agree to the conference report.

The motion was agreed to.

On motion of Mr. ADAMSON, a motion to reconsider the vote whereby the conference report was agreed to was laid on the table.

MUNICIPALLY OWNED INTERSTATE RAILWAYS.

Mr. ALLEN. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill H. R. 455, with a Senate amendment, and agree to the Senate amendment.

The SPEAKER. Is that one of the bills that came over this morning?

Mr. ALLEN. Yes; it came over this morning.

The SPEAKER. The gentleman from Ohio asks unanimous consent to take from the Speaker's table the bill H. R. 455, with Senate amendment, and concur in the Senate amendment. The Clerk will report the bill by title.

The Clerk read the title of the bill, as follows:

A bill (H. R. 455) entitled "An act to define the rights and privileges of the trustees of municipally owned interstate railways, and construing the act to regulate commerce with reference thereto."

The SPEAKER. The Clerk will report the Senate amendment.

The Senate amendment was read.

The SPEAKER. Is there objection?

There was no objection.

The SPEAKER. The question is on concurring in the Senate amendment.

The Senate amendment was concurred in.

EXTENSION OF REMARKS.

Mr. RANDALL. Mr. Speaker, I ask unanimous consent to extend my remarks in the Record by printing an article in Collier's Weekly, entitled "What happened in California."

Mr. MANN. Entitled what?

Mr. RANDALL. "What happened in California."

The SPEAKER. The gentleman from California asks unanimous consent to extend his remarks in the Record by printing an article from Collier's entitled "What happened in California." Is there objection?

Mr. MILLER of Minnesota, Mr. McARTHUR, and Mr. BARNHART reserved the right to object.

Mr. MOORE of Pennsylvania. Mr. Speaker, I rise to a question of privilege affecting the honor and dignity of this House.

The SPEAKER. The gentleman from Pennsylvania rises to a question of high privilege, which he will state.

Mr. MOORE of Pennsylvania. Mr. Speaker, the matter to which I desire to direct the attention of the House is of such importance that I would like to have a full attendance of the Members, but in order to save time for the passage of a great preparedness bill I shall not insist upon the point of no quorum at this time. [Applause.] It is patent to anyone who reads the newspapers—

Mr. BURNETT. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. BURNETT. Has the request of the gentleman from California [Mr. RANDALL] been disposed of? I do not think the gentleman wants to interfere with him.

The SPEAKER. Is there objection to the request of the gentleman from California?

Mr. BARNHART. Mr. Speaker, reserving the right to object—

The SPEAKER. If the gentleman is going to reserve the right and there is going to be debate, the Chair will recognize the gentleman from Pennsylvania.

Mr. MANN. I object.

The SPEAKER. The gentleman from Illinois objects. The gentleman from Pennsylvania [Mr. MOORE] has the floor on a question of high privilege.

QUESTION OF PRIVILEGE.

Mr. MOORE of Pennsylvania. Mr. Speaker, as a prelude to the question of privilege which I am about to present, I wish to say it is apparent to anyone who reads the daily newspapers that the war issue is being very much befogged by reports from London and that there has been a wonderful change in editorial sentiment in certain papers during the last six months.

The SPEAKER. The Chair would suggest to the gentleman that the first thing to do is to state the question of privilege, if any, that he has. The Chair will then pass upon that first.

Mr. MOORE of Pennsylvania. Mr. Speaker, on February 9 the gentleman from Texas [Mr. CALLAWAY] asked unanimous consent to extend his remarks in the Record, which consent was granted by the House. He did not read the remarks, and they were not read to the House. They were buried under leave in the CONGRESSIONAL RECORD. I question whether a single newspaper in the United States has taken cognizance of the remarks of the gentleman from Texas. This, Mr. Speaker, is what the gentleman from Texas printed in the Record, and it constitutes, as I believe, a question of the highest privilege, involving the honor of the House:

"In March, 1915, the J. P. Morgan interests, the steel, ship-building, and powder interests, and their subsidiary organizations, got together 12 men high up in the newspaper world and employed them to select the most influential newspapers in the

United States and sufficient number of them to control generally the policy of the daily press of the United States.

"These 12 men worked the problem out by selecting 179 newspapers, and then began, by an elimination process, to retain only those necessary for the purpose of controlling the general policy of the daily press throughout the country. They found it was only necessary to purchase the control of 20 of the greatest papers. The 25 papers were agreed upon; emissaries were sent to purchase the policy, national and international, of these papers; an agreement was reached; the policy of the papers was bought, to be paid for by the month; an editor was furnished for each paper to properly supervise and edit information regarding the questions of preparedness, militarism, financial policies, and other things of national and international nature considered vital to the interests of the purchasers.

"This contract is in existence at the present time, and it accounts for the news columns of the daily press of the country being filled with all sorts of preparedness arguments and misrepresentations as to the present condition of the United States Army and Navy, and the possibility and probability of the United States being attacked by foreign foes.

"This policy also included the suppression of everything in opposition to the wishes of the interests served. The effectiveness of this scheme has been conclusively demonstrated by the character of stuff carried in the daily press throughout the country since March, 1915. They have resorted to anything necessary to commercialize public sentiment and sandbag the National Congress into making extravagant and wasteful appropriations for the Army and Navy under the false pretense that it was necessary. Their stock argument is that it is 'patriotism.' They are playing on every prejudice and passion of the American people."

Here is where the question of privilege comes in.

And sandbag the National Congress into making extravagant and wasteful appropriations for the Army and Navy under the false pretense that it was necessary. Their stock argument is "patriotism." They are playing on every prejudice and passion of the American people.

That, Mr. Speaker, I respectfully submit, constitutes a question of privilege affecting the honor of the House. If we are being "sandbagged" by prejudice or through false commercialistic reports, it is injurious to the House and the country.

Mr. GARNER. Mr. Speaker—

The SPEAKER. For what purpose does the gentleman from Texas rise?

Mr. GARNER. To make the point of order that the question suggested by the gentleman from Pennsylvania is not a question of high privilege under the rules of the House.

Mr. MOORE of Pennsylvania. If the Speaker will bear with me, I think I can connect this up.

The SPEAKER. The Chair will ask the gentleman, is he rising to a question of personal privilege or a question of the highest privilege of the House?

Mr. MOORE of Pennsylvania. I have no personal interest except the welfare of my country. I rise—

The SPEAKER. If the gentleman is rising to a privilege of the House, he should introduce a resolution or proposition.

Mr. MOORE of Pennsylvania. I was about to suggest—

Mr. KITCHIN. I suggest that the gentleman ask unanimous consent to use 5 or 10 minutes.

Mr. MOORE of Pennsylvania. I shall be glad to do that.

The SPEAKER. The gentleman asks unanimous consent for five minutes—

Mr. MOORE of Pennsylvania. I ask unanimous consent for 10 minutes, Mr. Speaker.

The SPEAKER. The gentleman asks unanimous consent for 10 minutes. Is there objection?

Mr. SLAYDEN. Mr. Speaker, will the gentleman permit a question before he begins?

Mr. MOORE of Pennsylvania. Yes.

Mr. SLAYDEN. Will the gentleman explain what he understands the word "sandbag" to mean in that connection?

Mr. MOORE of Pennsylvania. It means to drive the Congress into a corner on this war question; to make us believe we are in a state of war.

Mr. SLAYDEN. Are not the editorial arguments intended to influence Congress?

Mr. MOORE of Pennsylvania. I think so.

Mr. SLAYDEN. That is what it means.

Mr. MOORE of Pennsylvania. Unquestionably; and in further answer to the question of the gentleman I will read one article. I can not read many. I will let most of them stand aside, because I can not read them in 10 minutes; but sufficient for the present is an article from the New York Sun of Sunday.

Mr. SHALLENBERGER. Will the gentleman yield?

Mr. MOORE of Pennsylvania. I can not yield. The headlines are these—and it is the headlines that are influencing the country:

Britain chafes over United States delay.

Mr. SHALLENBERGER again rose.

The SPEAKER. Does the gentleman yield?

Mr. MOORE of Pennsylvania. I do not. I regret it, but I do not unless I can get more time. These headlines continue:

What constitutes an overt act? London public and press are asking.

And then:

Americans are cheered.

In London—remember, this is from London!

Bands play "Hail Columbia," but elation is changing to impatience.

London, gentlemen, seems to be "impatient" because the United States is not going into war. The spirit of London as translated by these American newspapers is that the United States unduly hesitates to join Great Britain in the war.

I will not go on with these editorials, which are urging the President and Congress to declare war. Some of them are so vicious as to suggest a lack of the American spirit of justice and fair play. Every man who reads the newspapers knows the tone and sentiment of these editorials. I will be content with that for the present.

But here is something more to the point than a mere expression of opinion. Here is a three-column advertisement in one of the great newspapers, and I understand it has gone into all the great newspapers of the country to influence public sentiment. Under display headlines in large type it reads:

To the American people:

Germany is at war with the United States. The repudiation of past pledges and the threat to destroy our ships and citizens without warning constituted a virtual declaration of war.

Who says this? The President of the United States? The Congress of the United States, which is the only power under the Constitution that can declare war? No! Who is it, then, that makes this bold declaration to the common people of this land that we are now at war with Germany? I have not time to read the whole article, but will insert it in the RECORD. It continues:

It is no longer a question whether there shall be war with Germany. There is war with Germany.

This is underscored. Then the declaration continues:

The only question is whether our Government shall submit at Germany's dictation to the outrages of her submarine warfare, or whether it shall forcibly defend American property.

There is no discussion here, mark you, of the right of American ships to go through an English blockade, no question of "the freedom of the seas," so far as Great Britain's domination of the seas is concerned. This declaration is a declaration that we are "at war with Germany"; it implies that we must join the allies to beat Germany. I regret I can not read it all, for several prominent names are attached to this pronunciamento. There are quotations from Charles W. Eliot and Nicholas Murray Butler. Let them go for what they are worth. These men are publicists and are giving information almost daily about the manner in which we should govern ourselves.

But this advertisement, paid for by somebody, continues:

President Wilson and the Congress desire assurances of the country's backing before declaring war.

Who says President Wilson and the Congress are seeking assurances of somebody's backing before they declare war? Let us see:

Telegraph the President and your Congressman, pledging to them your loyal support in immediate and vigorous action for the defense of the American rights and American honor, and urging formal recognition of the state of war already existing between Germany and the United States.

This remarkable war message is signed by the "American Rights League" and certain individuals. Fortunately those who sign it do not hide themselves under cover of the "American Rights League"; they attach their names to it; to this voluntary, this diabolical declaration of war against a foreign country before the President of the United States or the Congress of the United States have acted upon a matter of such grave importance to the masses of our people.

Those whose names are appended to this paper include Dr. Lyman Abbot, of New York, and Rev. Randolph H. McKim, pastor of a church in Washington, two members of the profession which is supposed to teach the doctrine of "Peace on Earth."

God save the mark! If our good Lord and Savior were to come upon this earth to-day and be shown this hasty and bitter demand for war by one of His own ministers, or one professing to be a Christian minister, I question whether the Rev. Randolph McKim would stay in his pulpit in Washington a single hour. [Applause.]

I can not go on with this much further; in 10 minutes I am unable to cover the main subject. I wish to observe, however, that I am neither pro-German, as some of the newspapers have recently insisted, nor am I pro-ally. I am, as this Congress ought to be, pro-American [applause], and nothing else. If it has come to that point where we must forget the history of this Nation, must obliterate the record we have made to attain our present position, or if we are to forget that once we severed the yoke that bound us and must put that yoke again upon our necks, I want to leave these congressional halls forever.

I have in my hand a little of the information that this House should have to better understand this situation. I shall refer to it, hoping that somebody upon the other side will introduce a resolution in order that we may get additional information about the influences that are said to be doctoring the newspaper sentiment of the United States in the interest of one of the great belligerents, trying to drag us into war that we may "pull their chestnuts out of the fire." And that I may not be misunderstood, let me say that I want no dictation from the Kaiser any more than I want it from Lloyd-George. I want no dictation from Lord Northcliffe, the head of the great newspaper fraternity of Great Britain, with certain alliances in the United States, any more than I would accept it from Von Hindenberg. [Applause.] Let it be understood that I want to be free as an American Representative—as I assume all of us do—to help rule this country as our country and its people ought to be ruled, free from any domination in the whole world, and free from any mercenaries, whether they be in the pulpit or in the banking house. [Applause.]

Among the numerous letters that have come to me in the last few days, Mr. Speaker, was one inclosing this interesting message from Sir Gilbert Parker. Sir Gilbert, as you know, is a great writer; he is a novelist and an able editorial director. Sir Gilbert Parker has been shipping volume after volume into the United States to show how friendly Great Britain is with this country and how "blood is thicker than water." The argument has been that we ought to join forces with Great Britain to down Germany and the other nations with which it is in conflict. In this circular Right Hon. Sir Gilbert Parker, who is now in America and has recently visited the Capital, says:

"As Sir Gilbert Parker is sailing for America on Saturday, January 13, he will be unable to deal with any correspondence until further notice. He has, however, made arrangements for pamphlets to be sent out during his absence. He begs to thank his many correspondents for their kindness and courtesy during the past two years and a half, and he hopes to have the pleasure of meeting many of them while in the United States."

"20 Carlton House Terrace, London, S. W., England."

My friends in Congress, my pro-American friends who still believe in Washington's Farewell Address against entangling alliances, my native American friends who feel that this is a country worth fighting for and worth having and worth holding, I wish to give you a word of caution about every insidious story that is cabled from the other side of the water to provoke your passions. Able writers are telling you and your constituents to get into this struggle, but you want to be sure of your ground—sure that you are not serving some selfish purpose of men or nations—before you break up the peace of the United States and plunge us into this bloody controversy.

I admit we have a certain responsibility. We have provided in the interest of the great shippers a War-Risk Bureau, which is guaranteeing safe conduct to cargoes; cargoes carrying what? These little children that are so often discussed as being destroyed at sea? Are we guaranteeing their safe passage? No; with a \$5,000,000 fund from our Treasury we are guaranteeing the safe passage of munitions ships that are sent across the water, not to break a British blockade, not to establish our right to trade with Germany or any neutral country. No; we are doing this to maintain our trade with only some of the belligerents. The maintenance of that trade with a single country is the compelling reason with these warlike editorial writers. We have a fine opportunity for trade in South America, but the seas are not wholly free to us; our ships have to be O. K'd by one of the great powers before American business can be done. We can not deal with any neutral nation without the consent of one of the great powers which assumes to be "mistress of the seas." But we have this Government war-risk insurance chiefly, I fear, for the sake of those who are commercially interested in the conduct of war, and with the permission and approval of one of the great nations.

And then, again, there is our financial interest. We have taken approximately \$2,000,000,000 of bonds of foreign powers. They are scattered amongst our investors, and unless the war is successful, unless some of these editorial writers can convince

us that "blood is thicker than water," so that we shall send our boys into this war, the money we have invested in these foreign securities may be lost. Great God! Have we come to this in the United States, here in the Hall of our fathers, the Hall in which we determined the fate of America, the Hall in which we have fought out our great battles, the Hall in which we have resisted foreign aggression, the Hall in which we have dared to stand for our rights from colonial days—has it come to this, that because we are told by a great power or by great newspapers that money is at stake we must go in and fight a foreign war or lose it all? Shall we for this forget our altars and our firesides, and shall all of the hallowed and patriotic inspirations of our country stand for naught? [Applause.]

Mr. Speaker, I hope some Democrat will introduce a resolution to investigate these charges of pernicious editorial activity to stir up war and bloodshed as they were presented in the RECORD by the gentleman from Texas [Mr. CALLAWAY]. If that be not done, though the session be short, I shall introduce such a resolution myself, let the chips fall where they may. [Applause.] It is due to honest and patriotic journalism in the United States.

PLATTSBURG CHAMBER OF COMMERCE.

Mr. SNELL. Mr. Speaker, I ask unanimous consent to have printed in the RECORD a telegram from the Plattsburg Chamber of Commerce, indorsing the action of the President of the United States in severing diplomatic relations with Germany.

The SPEAKER. The gentleman from New York asks unanimous consent to extend his remarks in the RECORD in the manner indicated. Is there objection?

There was no objection.

The telegram referred to is as follows:

PLATTSBURG, N. Y., February 13, 1917.

HON. BERTRAND H. SNELL,

House of Representatives, Washington, D. C.:

The Plattsburg Chamber of Commerce in a resolution, copy of which was to-day transmitted to President Wilson, indorse the President's action in severing diplomatic relations with Germany, and we express the desire to aid in every way possible in carrying out whatever action the President may deem wise. We are distinctly and unanimously opposed to any attempt being made to influence the President or to hamper him in any way in his commendable efforts to maintain the honor of the United States and the recognized principles of international law.

PLATTSBURG CHAMBER OF COMMERCE,
W. B. JACQUES, President.

NAVAL APPROPRIATION BILL.

Mr. PADGETT. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 20632, the naval appropriation bill.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the naval appropriation bill, with Mr. PAGE of North Carolina in the chair.

The Clerk read as follows:

The Secretary of the Navy shall build any of the vessels herein appropriated for in such navy yards as he may designate should it reasonably appear that the persons, firms, or corporations, or the agents thereof, bidding for the construction of any of said vessels have entered into any combination, agreement, or understanding, the effect, object, or purpose of which is to deprive the Government of fair, open, and unrestricted competition in letting contracts for the construction of any of said vessels: *Provided*, That the Secretary of the Navy is hereby authorized to build any of the vessels herein authorized in such navy yards as he may designate.

Mr. MANN. Mr. Chairman, on that I reserve the point of order. I do not quite understand the purpose of the proviso to this paragraph. The paragraph first provides that the Secretary shall build any of the vessels herein appropriated for in such yards as he may designate should it reasonably appear that the persons, firms, or corporations, or the agents thereof, and so forth, have entered into any combination. Then the proviso is that the Secretary of the Navy is authorized to build any of the vessels authorized in the bill in such navy yards as he may designate. We make an appropriation for all of the vessels, do we not?

Mr. PADGETT. Under the three-year program we are building a definite number of ships. For instance, 10 battleships were authorized. Last year we appropriated for 4 of the 10, and this year for 3.

Mr. MANN. I do not understand this part of it. Do not we appropriate in this bill for all of the vessels which are authorized in the bill?

Mr. PADGETT. We appropriate not for all that are authorized, but we appropriate for a part of what were authorized last year.

Mr. MANN. Do we not appropriate in this bill for a part of the vessels authorized in the bill?

Mr. PADGETT. Yes.

Mr. MANN. As I understand, we make some appropriation in this bill for all of the vessels that are authorized.

Mr. PADGETT. No. Let me explain to the gentleman. In the bill of last year we authorized 10 battleships, 6 battle cruisers, 10 scout cruisers, 20 destroyers, and 58 submarines.

Mr. MANN. And we appropriate for all of those in this bill?

Mr. PADGETT. When we make the appropriation it will be in this bill, but we have not yet made the appropriations for all of them.

Mr. MANN. No; but we are appropriating in this bill some money for each of those vessels?

Mr. PADGETT. No; not for all of them. We appropriated last year for 4 of the 10 battleships, and did not make any appropriation for 6. This year the appropriations are made for three additional battleships, leaving three battleships that we authorized last year that are not yet appropriated for.

Mr. MANN. I do not get it; but this is perfectly plain: If we authorized vessels last year and they are not appropriated for this year, this bill does not authorize them to be constructed in navy yards.

Mr. PADGETT. They are not to be constructed at all; that is, 3 of the 10 battleships which we authorized are not yet to be constructed.

Mr. MANN. What is the difference in this paragraph between the proviso and the main paragraph?

Mr. PADGETT. There is very little, I will say to the gentleman, and this is the language that has been carried year after year. The proviso is very little different from the other, except that it says the Secretary is authorized to build any of the vessels authorized in such navy yards as he may designate. The first part of it provides that he shall build any of the vessels authorized in such navy yards as he may designate should it reasonably appear that persons, firms, or corporations bidding for the construction have entered into any combination. The first part of it is to provide against combinations and the last part of it authorizes him to build them in any navy yard, regardless of combination.

Mr. MANN. Suppose the shipbuilding yards should combine so that only one yard should bid on any one ship, but that each of them would bid on a ship and bid at a lower price than the Government could construct the ship for in the navy yards. Under this, then, the Secretary would still have to construct them in the navy yards.

Mr. PADGETT. He may build them in the navy yards, but he is not directed to. It is in his discretion.

Mr. MANN. I should say that he is directed to.

Mr. PADGETT. No.

Mr. MANN. That is what the bill says. Suppose there are three navy yards and each one of them bids on a ship.

Mr. PADGETT. Does the gentleman mean private contracting yards? When the gentleman says "navy yards" I understand him to refer to Government yards, and when he says "shipyards" I understand him to refer to private shipbuilding companies.

Mr. MANN. Very well. Say three shipbuilding yards bid, and each one bids on a ship by combination, but each one bids at a lower price than the Government can construct the ship in a Government navy yard, then the Government would still have to construct the ship in the navy yard under this provision.

Mr. PADGETT. That is not the interpretation that has been given it. If private contractors bid lower than the navy yards can build them for, they get the contract.

Mr. MANN. The paragraph says:

Or purpose of which is to deprive the Government of fair, open, and unrestricted competition.

These men may combine and each one bid for a ship. These different shipyards probably can not each build three ships. You advertise for the construction of three ships, and each private yard agrees to bid on one ship and bid at a lower price than the Government constructs them. Under this language you could not construct a ship. This is new language in the law.

Mr. PADGETT. No; this has been in the law all the time; we have not changed a word of it.

Mr. ROBERTS of Massachusetts. This was in the last bill and in the bill before, word for word.

Mr. PADGETT. It has been in every bill for a number of years. It is not new language.

Mr. MANN. I was under the impression that it was new language. I withdraw the point of order.

The Clerk read as follows:

In the event the Secretary of the Navy is unable to secure from the private shipbuilders contracts for the expeditious construction of the ships heretofore authorized at a fair and reasonable price, the sum of

\$12,000,000, or so much thereof as may be necessary, is hereby appropriated to enable the Secretary of the Navy to equip the navy yards with suitable and necessary machinery, implements, building ways, and equipment for the construction of such of said vessels as may be assigned to navy yards for construction.

Mr. TAGUE. Mr. Chairman, I wish to offer an amendment.

Mr. STAFFORD. I reserve a point of order on the paragraph. In view of the amendment agreed to yesterday authorizing the President in war time or in time of emergency to commandeer the shipyards and have the ships built at private yards at a price to be agreed upon, and if that can not be agreed upon, then to be submitted to the Court of Claims for decision, I wish to ask the chairman of the committee whether he thinks it is necessary to now go ahead with the policy of putting all the shipyards in a condition to make them capable of building all kinds of naval ships?

Mr. PADGETT. I think we need them to carry out the program that they have authorized independent of the legislation that was authorized yesterday by the Committee of the Whole.

Mr. STAFFORD. Last year we appropriated \$6,000,000 for the equipment of navy yards, giving preference, as far as the battleship program is concerned, to New York, Philadelphia, Mare Island, and Norfolk.

Mr. PADGETT. Yes.

Mr. STAFFORD. Was this \$6,000,000 inadequate for the purpose named?

Mr. PADGETT. Yes.

Mr. STAFFORD. Or is it intended by this to equip other yards?

Mr. PADGETT. No; but the \$6,000,000 was inadequate for the purpose for which this appropriation was made. This is to be added to the appropriation to carry out the purposes expressed in that appropriation.

Mr. STAFFORD. I understand the \$6,000,000 was only to be for two yards—New York and Mare Island—but in the Senate they included the other yards.

Mr. PADGETT. No; the Senate did not extend the number. The House provision carried the same yards designated as the law finally was agreed upon.

Mr. STAFFORD. I now recall that the gentleman is correct, the committee only recommended two, but in the Committee of the Whole they extended it to others. Is it the plan to confine this appropriation of \$12,000,000 to the equipment of those yards?

Mr. PADGETT. The Secretary has stated that it was his idea to have the yards at New York, Philadelphia, Mare Island, and Norfolk equipped for capital ships, battleships, and battle cruisers; the yard at Bremerton, Seattle, for the construction of ships of twelve or fifteen thousand tons displacement, not capital ships, and then the other yards mentioned, for instance, Portsmouth, N. H., and Charleston, S. C., for the construction of small craft like submarines and gunboats.

Mr. STAFFORD. How far has the department proceeded with the authorization for equipment of yards?

Mr. PADGETT. A few days ago the Senate passed a resolution calling upon the Secretary to furnish that information, and I have the reply of the Secretary, which I will read if the gentleman desires. The Secretary says:

No fixed apportionment or distribution of the entire \$6,000,000 appropriation has been made to these various yards, but it has been decided to fit up the Philadelphia yard for battle-cruiser construction, and the cost will be in the neighborhood of \$3,000,000; the Norfolk yard for dreadnaught construction, to cost about \$1,250,000; the Puget Sound yard for auxiliary ships of 12,000 tons, to cost about \$750,000; the Charleston yard for gunboats and destroyers, to cost about \$300,000; the Boston yard is already equipped to build a ship of 12,000 tons, and it will require \$75,000 to extend ways and other improvements; and the Portsmouth yard for the construction of submarines, to cost about \$200,000.

These plans are dependent upon the extent of the improvement of the various yards for shipbuilding and it may be necessary to recast and alter some of the authorizations already made, the general plan at present being tentative and subject to change in case my recommendations for an additional appropriation of \$12,000,000, for fitting the navy yards for shipbuilding, is approved by Congress.

Then he goes on to speak about various other yards.

Mr. STAFFORD. I understand that nothing has been done as to the six million authorization.

Mr. PADGETT. Nothing in a definite and conclusive way. In a tentative way he has made an apportionment and signified this purpose or intention of using it. But he has not concluded it in such a way as not being subject to change.

Mr. STAFFORD. Everything is in the air so far as the \$6,000,000 authorization is concerned.

Mr. PADGETT. As I say, nothing is definitely concluded.

Mr. STAFFORD. But there are two yards we are going ahead equipping for battleship construction, the New York and the Mare Island yards.

Mr. PADGETT. That is correct.

Mr. STAFFORD. That was under an authorization some time prior in an amendment to a prior bill.

Mr. PADGETT. Yes; and supplemented by this \$6,000,000.

Mr. STAFFORD. Mr. Chairman, I withdraw the reservation of a point of order.

Mr. MANN. I reserve the point of order. Last year we appropriated \$6,000,000 and authorized the extension of four navy yards for the construction of capital ships. Is it still the intention to provide these navy yards with facilities for the construction of capital ships?

Mr. PADGETT. The confusion is so great that I can not hear the gentleman. It is not the fault of the gentleman.

Mr. MANN. Last year we appropriated \$6,000,000 and authorized four navy yards to be equipped for the construction of capital ships.

Mr. PADGETT. In the discretion of the Secretary; yes, sir.

Mr. MANN. We authorized them?

Mr. PADGETT. Yes; we authorized them.

Mr. MANN. Is it the intention now to equip those four navy yards for the construction of capital ships?

Mr. PADGETT. No; it is not so indicated by the Secretary in this letter. We authorized six, if I remember.

Mr. MANN. No; we authorized four, namely, Boston, Norfolk, Philadelphia, and Puget Sound.

Mr. PADGETT. Well, he does not purpose to equip Boston and Puget Sound for the construction of ships of a capital character, but, as stated in this letter, of about 12,000 or 15,000 displacement.

Mr. MANN. Does the gentleman know how much of this \$12,000,000 is to be expended in those two navy yards, Philadelphia and Norfolk, in order to equip them for the construction of capital ships?

Mr. PADGETT. A good part of it would be, but there is no definite plan or division of the amount.

Mr. MANN. Has there been any estimate made of what it will cost? We were told last year that \$6,000,000 would do the business.

Mr. PADGETT. No. The gentleman is a little mistaken in that.

Mr. MANN. Well, we got the impression—I did, anyhow—that \$6,000,000 would do the business.

Mr. PADGETT. That \$6,000,000 last year originated with myself after the House put a provision on the bill for a 20 per cent bonus. It occurred to me that if we had a 20 per cent bonus for speed or for construction there might be a combination that would leave the Government powerless to defend itself, and without consulting the Navy Department or anyone else, I offered the amendment on my own initiative and responsibility, naming \$6,000,000 to enable the department to equip the yards so as to protect them against any combination formed, if I may use the word, to gobble up the 20 per cent premium or bonus. That originated with myself.

Mr. MANN. The gentleman last year guessed \$6,000,000?

Mr. PADGETT. Yes.

Mr. MANN. And the guess was not a good one. And the gentleman is guessing \$12,000,000 more, which makes \$18,000,000.

Mr. PADGETT. The Secretary of the Navy sent down a letter with reference to the \$12,000,000, which is printed in the hearings on page 925.

Mr. MANN. Very well. How much of that \$12,000,000 is to be used in equipping those yards for the construction of capital ships? If the Secretary gave any information on the subject, I would be glad to have it. If he did not give any information on the subject, it is still just a wild guess.

Mr. PADGETT. I am just looking to see—

Mr. MANN. It seems to me when we are appropriating \$18,000,000—first a guess of \$6,000,000 and then a guess of \$12,000,000 more—it is only fair that we have some information and estimate as to what the cost will be. Of course, a few million dollars is nothing to a rich gentleman, but it would be a good deal to me.

Mr. PADGETT. The Secretary of the Navy in his letter on the \$12,000,000 enters into a discussion of the cost and the situation of construction in the private yards. In the hearings before the committee Admiral Harris, Chief of the Bureau of Yards and Docks, indicated to the committee that the \$12,000,000, added to the \$6,000,000 heretofore appropriated, would equip the yards intended for capital-ship construction and the smaller yards for the smaller construction.

Mr. MANN. Well, how much of it goes to the equipment of yards for the construction of capital ships?

Mr. PADGETT. I can not give it to you, because I do not remember his apportionments. If I can find it here, I will try to give it to you.

Mr. MANN. Well, I should say it is important information to have. Does the Naval Committee think that \$12,000,000 is such a small sum that it is not worth inquiring about it?

Mr. PADGETT. No, sir. We did inquire about it, but I do not have the hearings just in front of me.

Mr. MANN. I do not think anybody has the information. That is a remarkable proposition. We appropriated \$6,000,000 for a purpose last year and propose to appropriate \$12,000,000 this year, and apparently nobody in the Navy or nobody on the Naval Affairs Committee knows what it is for.

Mr. PADGETT. It is for the equipment of yards.

Mr. MANN. How much for the capital ships?

Mr. PADGETT. I told you that specific item was in the \$12,000,000. I can not give it to you offhand.

Mr. MANN. I notice that every member of the distinguished Committee on Naval Affairs is looking it up now, and no one of them can find it. It has gotten so that \$12,000,000 is a mere bagatelle. One of them says, "What is \$12,000,000—a little thing like that?" It is a good deal to the fellows who pay it.

Mr. KELLEY. Will the gentleman yield? I would like to suggest to the chairman that the testimony is on page 1211 of the supplemental hearing—Admiral Harris's testimony and the testimony of the Secretary.

Mr. MANN. I feel very sure the Committee on Naval Affairs would know if they ever had the information given to them.

Mr. KELLEY. We do know.

Mr. MANN. What is it? How much is to be used for the equipment of yards for the construction of the capital ships?

Mr. KELLEY. Admiral Harris testified that it would take the whole \$6,000,000 appropriated last year to fix up the Philadelphia yard alone.

Mr. MANN. That is all right so far as it goes. The letter of the Secretary just indicated \$3,000,000.

Mr. PADGETT. It says here that the \$18,000,000, as I stated to the gentleman in the beginning, has not been allotted. The \$6,000,000 has been allotted tentatively.

Mr. MANN. In other words, no one knows what it is going to cost.

Mr. PADGETT. It has not been allotted for two reasons. In other words, if we get it, the \$18,000,000, we can allot it more wisely.

Mr. MANN. If they get the \$18,000,000 they can spend it. That is as far as it goes. There is absolutely no information furnished to the House as to how the \$18,000,000 is going to be expended. Where \$6,000,000 was appropriated last year for the purpose, \$12,000,000 is about to be appropriated this year, and nobody seems to think it important enough to know what it is for.

Mr. ROBERTS of Massachusetts. Mr. Chairman, will the gentleman yield?

Mr. PADGETT. Yes.

Mr. ROBERTS of Massachusetts. I wanted to read for the information of the gentleman from the supplemental hearings on page 1011.

Mr. PADGETT. I had that right here, just ready to read it.

Mr. ROBERTS of Massachusetts. I read:

Mr. ROBERTS. If you should get this \$12,000,000 more, making \$18,000,000 altogether, you would rearrange your present tentative plans for the improvement of certain yards?

Secretary DANIELS. Yes.

Mr. ROBERTS. So as to improve to a greater extent than you contemplated?

Secretary DANIELS. Certainly.

Mr. ROBERTS. I understand Admiral Harris to say that it will take \$6,000,000 to equip the Philadelphia yard to build two battle cruisers?

Admiral HARRIS. I said, that, approximately.

Mr. ROBERTS. Yes; approximately. How much will it take to equip the Norfolk yard to build one?

Admiral HARRIS. That was one battle cruiser and two scouts. That was approximately \$6,000,000, too.

Mr. ROBERTS. That would take \$6,000,000. How much would it take to equip the Brooklyn yard to build two battle cruisers?

Admiral HARRIS. About \$3,000,000.

Mr. ROBERTS. And the Bremerton yard?

Admiral HARRIS. \$2,000,000.

Mr. ROBERTS. To build two battle cruisers?

Admiral HARRIS. No; to build a scout, and an ammunition ship.

Mr. ROBERTS. Are you going to build an overhead track?

Admiral HARRIS. Yes.

Mr. BUTLER. How much will it take to build that overhead structure?

Admiral HARRIS. I do not know the exact cost, but the general estimate is about \$2,000,000.

Mr. BUTLER. And how much will the traveling structure cost?

Admiral HARRIS. I think something like \$650,000.

Mr. BROWNING. You are going to build an overhead structure at Philadelphia?

Admiral HARRIS. Yes; at Philadelphia we have no covering. It is just an open-topped structure.

Mr. BUTLER. It is not like the one at New York, a shed?

Admiral HARRIS. No; it will be just open.

Mr. ROBERTS. How much of this \$18,000,000 do you expect to spend on the Charleston yard?

Admiral HARRIS. We made no estimate for Charleston, Boston, and Portsmouth, but generally assumed that \$1,000,000 would cover the improvements at those three yards.

Mr. BRITTEN. For the building of those three ships?

Admiral HARRIS. We have a ship now under construction at Boston, and the ways would have to be lengthened and additional tools would have to be provided there. At Charleston we have ways for one gunboat, and we expect to lengthen it for a destroyer, and perhaps build an additional set of ways for a destroyer.

At Portsmouth it would be just a case of another ways for a submarine.

That approximately accounts for \$18,000,000. If the gentleman will only have a little patience with us and go through this testimony we will give him all the information we have.

Mr. MANN. Oh, you ought to have the information at your tongue's end. A moment ago the chairman read a letter from the Secretary of the Navy proposing to spend \$3,000,000 at the Philadelphia yard.

Mr. PADGETT. I said they proposed to spend \$3,000,000 out of the \$6,000,000. At the same time it was stated that if the \$12,000,000 was appropriated the plans for the \$3,000,000 expenditure were tentative and would be changed and adapted to the whole amount, which would be \$6,000,000.

Mr. KELLEY. Mr. Chairman, will the gentleman yield?

Mr. PADGETT. Yes.

Mr. KELLEY. I will say, in addition to what the gentleman from Tennessee has said that it makes a great deal of difference whether these yards are fitted up to build one capital ship or to build two capital ships.

Mr. MANN. That means that we are just blindly appropriating money. They will start in to equip the yard for two capital ships, and then ask for \$18,000,000 more. Who knows?

Mr. PADGETT. The proposition under this \$6,000,000 was to equip one to build a capital ship.

Mr. MANN. I have not had the opportunity to get the information until this morning, and I have not got it this morning. Mr. Chairman, I withdraw the point of order, with great regret. I think we ought to know about these things when we are asked to appropriate millions of dollars.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Massachusetts [Mr. TAGUE]. The Clerk will report it.

The Clerk read as follows:

Amendment offered by Mr. TAGUE: Page 60, line 14, after the word "yards," insert the following: "At Puget Sound, Philadelphia, Norfolk, Portsmouth, Charleston, and New Orleans."

Mr. PADGETT. Mr. Chairman, I hope that amendment will not be agreed to.

Mr. TAGUE. Mr. Chairman, this amendment is in the same language that was adopted in the bill of last year when the question of appropriating money for the equipment of the navy yards was under consideration. The \$6,000,000 was put into the bill because of the position taken by Members from Pennsylvania, Massachusetts, and other States where the navy yards belonging to the Government are located.

Now, Mr. Chairman, we are asked to-day to appropriate \$12,000,000 more, which makes \$18,000,000, and we are told by the chairman of the committee that it is going to take three or four million dollars to equip any one yard.

Now, Mr. Chairman, coming from Boston, where we have a navy yard which to-day is almost equipped for first-class shipbuilding, notwithstanding the statement made by the Navy Department, I want to say that the navy yard in Boston could be equipped for the building of a first-class battleship by an expenditure of less than half a million dollars, and could be put in a condition to build one of these battleships, or commence the building of battleships, within one year.

It is all very well, Mr. Chairman, to ask for these big appropriations, and I am willing to vote them when the Government wants them; but it has been debated on this floor that the reason why we have been unable to build these ships is that the private shipyards have not been in a position to take the contracts and do not want them. In other words, the big shipbuilding companies of the United States do not want their ways taken up in the building of a battleship that is going to take three years, and that is the reason why the Government has been unable to secure bids from these large concerns for the construction of battleships which this country needs so much at the present time.

I think it is good business, Mr. Chairman, for the Government to have its own property equipped as soon as possible so that we will not be in the hands or at the mercy of any private shipyard in the country. We have these big institutions now, and with a slight expenditure of money they can be equipped, and the amount of money authorized in this bill, which is nothing compared with the bonus which we will be obliged to pay to the large shipbuilding companies, will be saved in the equipment of the Government's own yards. We

are building to-day, or about to build in Boston Navy Yard, a hospital ship of about 12,000 tons, and the Secretary says it will require \$75,000 to build the ways for the building of this ship.

We have in the yard a splendid equipment, and all that is necessary is the extension of ways and some new machinery to put that yard in a first-class condition. We have everything that the Government wants there. We have 35 feet of water right at the navy yard. We have a splendid machine shop that has been equipped by the Government in the past few years. We have the largest chain shop in the United States, building all the big chains and most of the anchors for the Navy. We have a ropewalk, where we make all the big hawsers and cables that the Navy uses. Then we have a steel plant for the making of castings to be used by the Navy Department. We have everything that is needed in that yard to-day to go ahead and proceed with in building the ships the Government needs so much at the present time, and we are told that the appropriations are going in other directions.

I have no hesitation in saying, Mr. Chairman, that the other navy yards of the country should be equipped, no matter what the expense is to the Government. It is a shame to see our Government at the mercy of any individual or corporation at a time like this, when we need a Navy so badly and we are compelled to have laws passed to allow us to go into the private shipyards and take over their plants and machinery to do the work of the Government.

The CHAIRMAN. The time of the gentleman from Massachusetts has expired.

Mr. TAGUE. Mr. Chairman, I ask unanimous consent to proceed for five minutes more.

The CHAIRMAN. Is there objection to the gentleman's request?

There was no objection.

Mr. BROWNING. Mr. Chairman, will the gentleman yield?

Mr. TAGUE. Yes.

Mr. BROWNING. Does the gentleman know that the Government has had no trouble whatever in getting bids for battleships? They are awarded at once, and are now under contract at two yards.

Mr. GORDON. Under contract but not under construction.

Mr. BROWNING. They are under construction.

Mr. TAGUE. Mr. Chairman, in the debate that has taken place on this floor every member of the minority of the committee who has spoken here has said, "We have appropriated the money, but the ships are not built, the ships can not be built for more than four years. That is the matter with our Navy—we can not get the bids to build them until the ways of these private shipyards are cleared of the private work that they are now constructing."

Mr. BROWNING. Can they be built more quickly in Government yards?

Mr. TAGUE. Oh, Mr. Chairman—

Mr. BROWNING. Well, answer my question.

Mr. TAGUE. Yes; and better.

Mr. BROWNING. The Secretary says they can not, and the Assistant Secretary says so, too.

Mr. TAGUE. Mr. Chairman, the Secretary has taken the word of men who have filled volume after volume in contradicting one another on every phase of the building of the American Navy. Mr. Chairman, I contend that there is not a private shipyard to-day in the country that can be cleared so that this Government can start to build a ship inside of a year. According to the reports we get every yard is filled now with private construction, and why should we interfere with that work when the people of the Nation need these private ships so much, and when we have property of our own which we should use, and when we are appropriating millions of dollars for the building up of our own Navy? Then we are told we must go to the private shipyards to have that done.

Mr. BROWNING. Does the gentleman know that there are two concerns in this country, the New York Shipbuilding Co. and the Newport News Shipbuilding Co.—and the Fore River Shipbuilding Co. as well—whose yards are 72 per cent engaged in Government construction?

Mr. TAGUE. Yes; I know they have 72 per cent of their yards engaged; but still we are without the ships; still they are unable to give us any more ships for four or five or six years.

Mr. BROWNING. And the Secretary of the Navy and the private shipyard men all say that the trouble is to get the labor. There is only a certain amount of labor in this country, and none of them can get it.

Mr. TAGUE. Mr. Chairman, the reason for that is perfectly natural. The shipbuilding of the world has been done across

the water, and it was not until the present condition arose which was the result of the war that the people of the United States realized that it was time to protect their own industries and build up their own merchant marine.

Mr. KELLEY. Mr. Chairman, when this matter was before the committee I asked Admiral Taylor this question:

If the private yards are completely fitted up, and if the Government yards are fitted up, making that many more shipyards, pending the time when this general shipbuilding boom is on, where would you expect to get the men to equip and do the work in the Government yards?

Admiral TAYLOR. We would expect to get them from the shipbuilding trade.

I asked:

To get them away from the private shipbuilders?

Admiral TAYLOR. The estimates of the Department of Commerce indicate that there are about 70,000 men employed in the shipbuilding trade to-day outside of the navy yards. In the navy yards we have employed about 25,000 men. In order to build this work we would need to have on the average something like 7,000 or 8,000 more men.

I would like to inquire of the gentleman from Boston where the Government yards would get at this time 7,000 or 8,000 more men?

Mr. TAGUE. Mr. Chairman, in answer to the gentleman I will just bring to his attention this fact: Up to within three years at the navy yard in my district there was no shipbuilding, the only work done being repair work. Up to within the last 10 years the Fore River Shipbuilding Co. did practically no shipbuilding, except in a small way. They employed a few men, to be sure. I understand that now they are employing many thousands of men. We have in the Boston Navy Yard to-day, working on shipbuilding and the different parts of shipbuilding, 3,300 men, where three years ago we had 1,900 men. Over 800 of those men to-day are working in shipbuilding. It is true you can not get mechanics in a moment. But every mechanic in the United States who is engaged in any part of machinery building, any part of iron working, any part of structural work, can with a little experience adapt himself to the work of building battleships. After all, what is it? The turning out of the iron is done in the mill. It requires a good mechanic, who knows iron, to put it together. They can turn out ship fitters, Mr. Chairman, as fast as they can get the men to work at it, and we have never had any trouble in getting men to go in and learn the trade of shipbuilding. It has become a substantial trade to-day in the United States. It has become a trade that the young men realize is going to be a profitable one. There will be no trouble in getting men to learn the trade. They will go into the yard and under good instruction they will become splendid ship fitters in a very short while. I contend, Mr. Chairman, that if the report of the chairman of the committee is true, that it will take 7,500 more men to work in the navy yards in the work of the building of our ships, we can get them in a very short time. If we can build a 12,000-ton ship, we can build a 20,000-ton ship, and it will not take much money to equip Boston yard in comparison to the amount of money, \$18,000,000, which we are now appropriating. All we ask this House to do is to give us the opportunity to demonstrate that we can do the work for the Government and save money doing so.

Mr. BUTLER. Mr. Chairman, in the State of Pennsylvania is one great industrial concern that has put up its word that within 60 days from this time it will start in the construction of submarines and will agree to give the Government one submarine each week, or 52 submarines each year. In the same State is a concern that has offered its services and its plant to this Government, and has agreed that within 10 months or 1 year it will be ready for the construction of destroyers, and that it will build for this Government 26 destroyers every year. Do you think these people are responding? Do you think their word is good? In the big city of Chester, close to Philadelphia, a shipbuilding plant has recently been constructed and is now ready for commercial work. Its president, who is its guiding hand, Senator William C. Sprowl, has declined to cover his ways with commercial work, which he can do at once, in order that he may be ready for the Government work at any hour and to proceed to build such ships as the Government will need, excepting capital ships. I understand he has arranged already for steel to be furnished for the boats he may build for the Government. He is one of Pennsylvania's foremost citizens and his response to his country's call will not be forgotten by the grateful people of our State. To lay aside all his commercial work to serve his country is a positive sacrifice. But big men can afford to do big things and I am not surprised at Senator Sprowl's readiness and willingness. Within a very few months the shipyards of America under private control will be ready and able to supply the Government with all the small ships she can possibly use.

Mr. TAGUE. Will the gentleman yield?

Mr. BUTLER. Yes.

Mr. TAGUE. I said nothing about the smaller ships. My contention has been that the private shipyards should be left to build the smaller ships and let the Government build the ships now authorized, the battleships, and let the private yards take care of the smaller ships.

Mr. PADGETT. Will the gentleman yield?

Mr. BUTLER. I will yield to the gentleman.

Mr. PADGETT. We are appropriating \$12,000,000 in order to enable the Government to equip all of the yards for the purpose of building ships. The gentleman from Massachusetts has offered an amendment naming seven yards, and that is the question before the House. We are opposed to naming any yards, but leave the power discretionary with the department to equip any and all yards.

Mr. VARE. Will the gentleman yield?

Mr. BUTLER. Yes.

Mr. VARE. I would like to ask my colleague whether he believes that this discretion should be left with the Secretary of the Navy?

Mr. BUTLER. Absolutely. I do not know where the ships can be built. I have heard of the depth of water at different places not being sufficient for shipbuilding or navy-yard purposes; I have become thoroughly confused at times, and I believe that there is not any water at some of these yards. [Laughter.] Harbors have been designated to us where our fleet could lie, but the fleet has outgrown the harbors. These conditions change and the depth of the ship changes. I would not vote in favor of any measure that would tie the hands of the Secretary of the Navy in this particular. He should be allowed to exercise his discretion in making selection among the different yards where these ships can be built if desirable, and at the least possible expense to the Government. The yards best equipped, in my judgment, should first be selected; some are better equipped than others. I have no information and I would not assume to myself the responsibility of designating to him where he should build any of the Government ships.

Mr. DOWELL. Will the gentleman yield?

Mr. BUTLER. I will.

Mr. DOWELL. Why has not the Secretary made some selection as to the equipment of yards under the appropriation that we made one year ago?

Mr. PADGETT. That was August 29, 1916.

Mr. BUTLER. Congress passed a law August 29, and it became a law a short time after that date. In that bill the Secretary was authorized, in his discretion, to equip a certain number of yards—I think eight. I believe the Secretary, the gentleman who has the responsibility, has made an effort to select yards best adapted for construction purposes. Immediately bids for equipment were asked. He has had about three months in which to determine the best places to construct the big ships. Six million dollars was given him to enable him to complete some of the yards, so that the big ships might be constructed. He has already, as I understand, designated the Philadelphia yard for the construction of one great battle cruiser of 180,000 horsepower. Such a ship has never been built in the wide world. It is entirely novel and new, almost an experiment, but one that we must adopt. He has stated that it will require a good portion of the \$6,000,000 to equip one yard. The shipbuilders who know how to build battleships have declined up to this time to name a sum satisfactory to the department for which they can build the ships. This ship to be built at the Philadelphia Navy Yard will be built under the direction of the Government. I have no doubt the contracts will be made for the other battle cruisers soon; I mean those heretofore authorized. The Secretary has been moving with dispatch. I have seen millions of dollars voted to the Philadelphia yard for improvements to put it in condition for the purpose that it is now about to be used. I know of no other yard as well equipped as the Philadelphia yard. It is the most modern and the most recent in all kinds of improvements, except the one in New York; and there is no room there to build a cruiser. The ways at the Philadelphia yard are being lengthened, and contracts already made for the steel for that purpose. The battle cruiser is about 900 feet long and of 42,000 tons. It is to carry great guns, larger than any other guns, I believe. Before the Secretary of the Navy could allot the money to the different yards he saw fit to designate one place, the better prepared, the better improved, than all of them, where he might make the immediate test of building a great cruiser.

Mr. PADGETT. If the gentleman will yield, I want to say that the length of the cruiser is about 875 feet, and the tonnage is 32,000 tons. It is the new battleships that are 42,000 tons.

Mr. BUTLER. Yes; I made a mistake. The cruiser is unarmored.

Mr. FESS. Will the gentleman yield?

Mr. BUTLER. Certainly.

Mr. FESS. Last week, when they were speculating about the number of submarines, Mr. Gary made the statement in New York that we had an establishment here that could easily duplicate all the submarines reported to be now usable. Was that statement one of enthusiasm merely?

Mr. BUTLER. I do not know what our real ability is. But did the gentleman hear my statement this morning?

Mr. FESS. As to the institution in his State?

Mr. BUTLER. Yes; and it is a good one, too.

Mr. FESS. But Mr. Gary does not confine himself to Pennsylvania, does he?

Mr. BUTLER. He does not. I have no doubt that we have in the United States, in connection with our navy yards, sufficient equipment, perhaps somewhat to be improved, so that within three or four months from this time we will be able to begin the supply of all the subsidiary craft that we will at any time likely need.

Mr. KELLEY. Mr. Chairman, referring further to the question propounded by the gentleman from Illinois [Mr. MANN] awhile ago as to where the \$18,000,000 would be expended. I want to call the attention of the House to what the Secretary stated in the hearings before the committee, on page 999 of the supplementary hearings. He said:

Secretary DANIELS. But my suggestion is, our estimates and our recommendations are, for building, equipping the yards for building the ships, it would require \$18,000,000. We have already \$6,000,000, and we are asking for \$12,000,000 more, which would enable us to fit up the Portsmouth Navy Yard to build submarines, and with existing ways and one new way for two 800-ton boats. At Boston, Mass., the present ways should be lengthened and necessary plant equipment provided for continuing to build ships up to and including 12,000 tons.

Mr. ROBERTS. May I ask you, right there, are we to assume that the Portsmouth Navy Yard is not equipped to build 800-ton boats with its present slips?

Secretary DANIELS. Not fully; we must spend some money to do that.

Mr. ROBERTS. Does this increase the amount you require for the Portsmouth Yard?

Secretary DANIELS. No; we have not been able to make a detailed estimate.

At Boston we would provide the necessary ways and equipment.

At Charleston we would lengthen the present ways for a destroyer, and make one for a new destroyer. We could build both destroyers and gunboats.

At Philadelphia we would fit up two new ways for capital ships, leaving the existing ways for auxiliaries.

At Norfolk we would fit up one new battle-cruiser ways and one new ways for two scouts.

At Puget Sound, Wash., we would build one new ways for one new ammunition ship and one scout cruiser.

At New York we would build one new ways for a battle cruiser, and existing ways would be continued as at present.

Mr. FOSS rose.

Mr. PADGETT. Mr. Chairman, will the gentleman yield to me for a moment?

Mr. FOSS. Yes.

Mr. PADGETT. Mr. Chairman, on this amendment of the gentleman from Massachusetts [Mr. TAGUE] may I ask that debate upon the amendment close in 10 minutes?

Mr. FOSS. I may want 10 minutes myself, though I do not know.

Mr. OLIVER. I want to have five minutes.

Mr. PADGETT. Then make it 15 minutes.

The CHAIRMAN. Does the gentleman include in that request the paragraph as well as the amendment?

Mr. PADGETT. No.

The CHAIRMAN. The gentleman from Tennessee asks unanimous consent that all debate upon the amendment of the gentleman from Massachusetts [Mr. TAGUE] close in 15 minutes.

Mr. TAGUE. Mr. Chairman, I will ask for five minutes.

Mr. PADGETT. Mr. Chairman, the gentleman has already discussed his amendment for 10 minutes.

The CHAIRMAN. Is there objection?

Mr. TAGUE. Unless I can have five minutes I object.

Mr. PADGETT. Then, Mr. Chairman, I move that all debate upon the pending paragraph close in 15 minutes.

The motion was agreed to.

Mr. FOSS. Mr. Chairman, attention has already been called to the fact that we are spending a great deal of money in equipping these navy yards for the purpose of building capital ships. Last year we authorized \$6,000,000 and this year we conditionally authorize, if we carry out this provision, \$12,000,000; but that is not all. In this bill we appropriate to the different yards and stations something like \$12,000,000 in addition. I read on page 29 of the bill that the total public works will cost \$14,000,000 and over. Of that at least \$12,000,000 goes into the various yards and stations, and all for what purpose? In order that these navy yards may build capital ships, and there is not a single instance anywhere where the Government has built a capital ship that it has not cost 10, 20, 30 per cent more than a similar ship was

built for in a private yard. Yet we are building up these navy yards to construct ships at an increased expense to the Government. Let me state an instance. We have constructed seven colliers, all of them practically of the same size, with a displacement of about 19,360 tons each, with a cargo capacity for coal of 10,500 tons each, and we built them during the years 1908, 1909, 1910, and 1911. Six of the seven colliers were built in private yards. The lowest cost in a private yard for any one of them was \$871,000. The highest cost in a private yard was \$1,023,000. The seventh was constructed in a Government navy yard, and that ship cost \$1,326,000—30 per cent more than the same ship or a similar ship built under private contract, and that has been the whole history of the navy-yard construction.

Mr. SEARS. Mr. Chairman, will the gentleman yield?

Mr. FOSS. Take the battleship *Utah* and the battleship *Florida*. The *Florida* was built in the New York Navy Yard and her hull and machinery cost \$6,250,000. Her sister ship, the *Utah*, was built by the Newport News Shipbuilding Co., and it cost less than \$4,000,000. There was a difference in the cost of those two ships, sister ships, for hull and machinery, built on identically the same plans and specifications, of \$2,250,000. Then we also built a battleship, the *New York*, in the New York Navy Yard, while her sister ship, the *Texas*, was built in a private yard. We excluded indirect and overhead charges from the limit of cost upon the *New York*, and yet that ship cost half a million dollars more than the *Texas*, her sister ship, built in a private yard, and if the indirect charges, the overhead charges, which we eliminated under the act of authorization in the naval appropriation bill had been charged to the *New York* in the New York Navy Yard, that ship would have cost \$2,000,000 more than her sister ship, built under a private contract.

The CHAIRMAN. The time of the gentleman from Illinois has expired.

Mr. FOSS. Mr. Chairman, I ask unanimous consent to proceed for five minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. FOSS. Mr. Chairman, I propose to put these facts into the RECORD.

Mr. PADGETT. Will the gentleman yield for just a moment? As I understand it, five minutes were reserved for the gentleman from Alabama [Mr. OLIVER].

The CHAIRMAN. The Chair understood that in fixing the time at 15 minutes the gentleman from Illinois [Mr. Foss] was to consume 10 minutes and the gentleman from Alabama [Mr. OLIVER] 5.

Mr. PADGETT. That is correct.

The CHAIRMAN. The gentleman from Illinois is recognized for five minutes.

Mr. FOSS. Mr. Chairman, we have a number of shipyards in this country—8 or 10 or a dozen—and there never has been any combination between the different shipyards in the country that I know of or that has been shown to exist. We provide in this bill that if there should be any agreement or combination among the shipyards these ships can be built by the Secretary of the Navy in a Government navy yard.

Mr. SEARS. Mr. Chairman, will the gentleman yield for a question?

Mr. FOSS. No.

The CHAIRMAN. The gentleman declines to yield.

Mr. FOSS. And if you will look through the whole history of Government construction of ships you will find that in every case we have had a half dozen bidders or more. In one case I recall seven bidders in the matter of the construction of a battleship. We have had plenty of competition, and in a time like this I believe we should give these great ships to the private ship-building concerns.

Why, much of the congestion to-day in navy yards is due to the tendency of the administration to build ships in navy yards. Just think of it, the *Tennessee* and *California*, authorized two years ago, have hardly yet been begun. And why, because they are waiting for the *New Mexico* or some other ship to get off the ways in the New York Navy Yard, and so the construction of that ship has been delayed. If that ship and her sister ship had been given to private contractors two years ago at the bids which were then made by the private contractors, those two ships would have been halfway completed at this time and at a cost of a million or a million and a half dollars less each on completion than what they will cost when they are built in the navy yards two or three years hence.

Mr. WHEELER. Will the gentleman yield?

Mr. FOSS. I will.

Mr. WHEELER. I wanted to inquire if it is not true that the private plants are now so congested that it would be two

and a half to three years before they could take any contract from the Government?

Mr. FOSS. No; I think the private yards will take these ships, and we have already provided in the commandeering proposition here that in case of a national emergency these shipyards can be taken over by the Government, and the ships can be built at a price that shall be reasonable in the estimation of the President; and if the private building concerns do not agree to that price, why, of course, they have the alternative, a poor alternative, of a lawsuit, and yet in view of that action in this House—

Mr. TAGUE. Will the gentleman yield?

Mr. FOSS. In exercising its power to take over these yards in time of national emergency we propose now to appropriate \$12,000,000, in order that the Government can go into competition with private shipbuilding concerns.

Mr. VARE. Will my colleague yield?

Mr. FOSS. The trouble about competition is that the cost accounting system upon which estimates are made by the Navy Department is unfair to the private shipbuilding concerns, and the Government can afford to be fair. I am going briefly to read to you here just the difference in the accounting system, where all the trouble in comparison between Government navy-yard estimates, which do not amount to anything, and bids made by responsible shipbuilding yards occurs.

The CHAIRMAN. The time of the gentleman has expired.

Mr. FOSS. Mr. Chairman, I would like to ask unanimous consent to put this in the Record and show the difference between the two in the matter of the cost of ships. [Applause.]

The CHAIRMAN. Is there objection to the request of the gentleman? [After a pause.] The Chair hears none.

The matter referred to is as follows:

NAVY DEPARTMENT,
Washington, February 19, 1916.

Hon. GEORGE EDMUND FOSS, M. C.,
House of Representatives, Washington, D. C.

DEAR Mr. FOSS: In reply to your letter of February 5, 1916, requesting a comparative statement of the cost of building naval colliers at

navy yards and at private yards, there is submitted herewith a statement of the individual cost of seven colliers of about equal displacement. Of these vessels the *Jupiter* was constructed by the Government at the navy yard, Mare Island, Cal. The cost of plans, pay of officers, and wages paid on account of leave and holidays does not appear in the charges to this vessel, while indirect expense for supervision, power, minor maintenance charges, etc., are included in the total cost.

The following general information is given, a part of which you may desire to apply in comparing the cost of the *Jupiter* and *Cyclops*.

Naval act approved May 13, 1908, authorized two fleet colliers at a cost not to exceed \$1,800,000 each, and provided that "one of said colliers to be built in such Government yard on the Pacific coast as the Secretary of the Navy shall direct."

On account of the excessive estimate for construction at the Mare Island yard, as compared with bids submitted by private shipbuilding firms, no award was made, and the Secretary in his hearing before the House Committee on Naval Affairs, January 7, 1909, requested Congress to authorize the purchase of four colliers at no greater cost than was authorized for two in the above act.

Naval act approved March 3, 1909, reduced the limit of cost of colliers to \$900,000, but did not repeal the direction to build the vessel in a Government yard on the Pacific coast.

A recommendation was made by the Secretary of the Navy in a letter to the House Committee on Naval Affairs dated December 31, 1909, that the limit of cost of the collier to be built on the Pacific coast be increased to \$1,404,000, or that authority be granted to have this vessel built by contract. The action taken by Congress was to increase the limit of cost to \$1,000,000 (act approved June 24, 1910). No action could be taken under this limit, and by act of March 4, 1911, it was again increased to \$1,200,000, "exclusive of indirect charges," and under this limit the yard was directed to proceed with the construction.

From the above it will be noted that the direction of Congress to build the vessel in a Government yard on the Pacific coast was mandatory, that the excessive cost as compared with a contract-built vessel was contemplated, and that the construction of the vessel, while authorized in May, 1908, was not undertaken until some months after her sister ship, the *Cyclops*, was completed and in commission.

In this connection attention is invited to the accompanying statement from which it appears that on account of increased cost of material or other causes the contract prices for construction of colliers built during the period corresponding with the time when the *Jupiter* was being built at Mare Island were approximately 15 per cent greater than that under which the *Cyclops* was constructed, although the dimensions of those contracted for later were less.

Sincerely, yours,

JOSEPHUS DANIELS,
Secretary of the Navy.

Statement to accompany letter to Hon. G. E. Foss.

Vessel.	Displacement.	Authorized.	Builders.	Length.	Breadth.	Cargo capacity (coal).	Contract price.	Total cost.
<i>Jupiter</i>	19,360	May 13, 1908	Navy yard, Mare Island.....	542	65	10,457	\$1,200,000	\$1,326,111.36
<i>Cyclops</i>	19,360	.....do.....	Wm. Cramp & Sons.....	542	65	10,457	822,500	871,518.35
<i>Neptune</i>	19,375	Mar. 3, 1909	Maryland Steel Co.....	542	65	10,500	889,600	922,144.55
<i>Proteus</i>	19,000	June 24, 1910	Newport News Shipbuilding Co.....	522	62	10,500	990,000	998,652.53
<i>Nereus</i>	19,000	.....do.....	.....do.....	522	62	10,500	990,000	1,023,854.15
<i>Orion</i>	19,132	Mar. 4, 1911	Maryland Steel Co.....	536	65	10,500	951,000	974,479.85
<i>Jason</i>	19,132	.....do.....	.....do.....	536	65	10,500	951,000	971,338.01

¹ Limit of cost exclusive of indirect charges.

MESSAGE FROM THE SENATE.

The committee informally rose; and Mr. HARRISON of Mississippi having taken the chair as Speaker pro tempore, a message from the Senate, by Mr. Waldorf, its enrolling clerk, announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 8092) confirming patents heretofore issued to certain Indians in the State of Washington.

The message also announced that the Senate had agreed to the amendment of the House of Representatives to the bill (S. 5424) to construct a bridge in San Juan County, State of New Mexico.

The message also announced that the Senate had disagreed to the amendments of the House of Representatives to the bill (S. 1878) making appropriation for payment of certain claims in accordance with findings of the Court of Claims, reported under the provisions of the acts approved March 3, 1883, and March 3, 1887, and commonly known as the Bowman and the Tucker Acts, and under the provisions of section No. 151 of the act approved March 3, 1911, commonly known as the Judicial Code, had asked a conference with the House on the disagreeing votes of the two Houses thereon, and had appointed Mr. BRYAN, Mr. ROBINSON, and Mr. GRONNA as the conferees on the part of the Senate.

NAVAL APPROPRIATION BILL.

The committee resumed its session.

Mr. OLIVER. Mr. Chairman, it is refreshing to find some disposition on the part of Members to ask to-day for information. In reference to the statement made by the gentleman from Illinois [Mr. Foss] as to the relative cost of construction

in private and in Government yards, I will say that he may be correct as to some of the old contracts to which he refers, but they related to a time when Government yards were ill-equipped for the handling of any business. Under a Secretary friendly to the proper development of Government yards to handle, at least, a limited quantity of Government work, the committee now finds that work done at Government yards compares most favorably, both as to cost and quality, with that let to private yards. I will later read and insert as a part of my remarks a fuller statement on this subject, and which clearly, I submit, refutes the views entertained by the gentleman from Illinois.

As a result of the information before the committee on this subject, a unanimous report has been submitted recommending this increase of \$12,000,000 to properly equip the navy yards, and the committee has felt that the expenditure of this sum should be left to the discretion of the Secretary of the Navy, and that Congress should not undertake to specify the yards where expenditures must be made. For that reason I hope the amendment of the gentleman from Massachusetts [Mr. TAGUE] will be defeated.

I desire to now briefly submit some facts for your consideration in support of a motion to recommit this bill, which I contemplate offering at the proper time. Allusion has been made to the time required for the completion of capital ships. An amendment was offered by me on yesterday, seeking to require that the vessels appropriated for in this bill should be completed within 38 months. That amendment was voted down, and to my surprise there were many Members on this side of the aisle who voted against the amendment. Yet the report of the minority members of the committee, at the last session of this Congress, recommended and urged the following as proper

limits of time for the completion of the different types of ships:

We believe that dreadnaughts and battle cruisers can be completed and put into commission in 24 to 30 months from date of contract. We believe that scout cruisers, destroyers, and other like craft can be completed and put into commission within 15 months from date of contract and that submarines of the coast type can be completed and put in commission within 12 months from the date of contract, and that the time in which ships must be completed should be limited.

In my amendment I sought to prescribe a maximum limit of 38 months on the final completion of the capital ships and, to my surprise, the same gentlemen who said that five months ago, the time limit should be 30 months or less, now impliedly authorize the giving of 48 months, and voted against the amendment, fixing the limit at 38 months.

If we need battleships, we need them earlier than four years from now; and if you will fix a limit of time or postpone the appropriation therefor you will get them in much shorter time than four years and probably for less money. The motion to recommit will provide as follows:

Strike out all appropriations for two of the three battleships now carried in the bill and insert in lieu thereof appropriations for the construction of 30 destroyers instead of 15 and for 30 submarines instead of 18, the type and cost of such additional destroyers and submarines to be the same as those now carried in the bill.

If this motion is adopted, it will largely add to the fleet two important types that can be completed in a reasonable time and which will greatly add to the Navy's efficiency. [Applause.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. OLIVER. Mr. Chairman, I ask unanimous consent to revise and extend my remarks.

The CHAIRMAN. Is there objection to the request of the gentleman from Alabama? [After a pause.] The Chair hears none.

Mr. OLIVER. Under leave granted I herewith set out letter, with attached statement from the Secretary of the Navy, and invite the careful reading of the same by the membership of the House. We should know the splendid accomplishments of the Navy Department in these matters, especially in view of the fact that there still remain some, like the gentleman from Illinois, who either refuse or fail to inform themselves in reference thereto.

The letter and statement are as follows:

THE SECRETARY OF THE NAVY,
Washington, February 13, 1917.

MY DEAR MR. OLIVER: In my letter of the 3d instant to Mr. PADGETT, a copy of which I am sending you herewith, you will find a rather full discussion of the construction at the navy yards within the last three years. This letter is set out in full on page 2584 of the CONGRESSIONAL RECORD of date February 3, 1917. I wish you would read it carefully, if you have not already done so. Let me call your attention to the fact that the *Arizona* was constructed at the Brooklyn Navy Yard in 3 years and 10 months from the date of authorization, while her sister ship, the *Pennsylvania*, was built in 3 years and 10 months by the Newport News Shipbuilding Co. The *Oklahoma* and *Nevada*, neither of which were mentioned in the letter, were built, respectively, by the New York Shipbuilding Co. and the Fore River Co., the former being accepted on May 2, 1916, the latter on March 11, 1916. Thus the *Oklahoma* was 3 years and 9 months in being built from the date of contract, and the *Nevada* 4 years and 1 month. From date of contract 4 years and 7 months and 4 years and 11 months, respectively, intervened, about 10½ months having elapsed between the date of authorization and the date of contract on both ships.

Except at New York and Mare Island, shipbuilding is a new problem at navy yards, and it can not be expected that the ships first constructed at the yards will show as creditably as ships constructed later, after the organization is working well. The delays in the construction of vessels at the navy yards, as my letter to Mr. PADGETT shows, are largely due to the fact that the yards were not equipped for construction before ships were assigned to them to build, and they could not proceed in the fullest manner until after building ways, and sometimes shops and machinery, had been provided for the work. Thus, while it appears that the *Henderson* and *Bridge* are long overdue, they will be completed within two years of the laying of their keels. But for delays in obtaining forgings from private manufacturers—from lack of which the whole shipbuilding industry has suffered—they would have long since been completed. The same is true of the destroyer *Shaw*, now nearing completion at Mare Island. Although the keel of that vessel was not laid until February 7, 1916, owing to the lack of ways, she will be commissioned within 14 months from the laying thereof.

The last three vessels I have mentioned were all assigned to the navy yards because navy-yard estimates were much below the bids submitted by private shipbuilders, and the indications are that, although the navy yards may in some instances exceed their estimates, the cost of construction will be well under the price we would have had to pay for privately built ships. But now that we have these additional shipbuilding facilities much of the troubles which we experienced and the delays which were encountered in the construction of the first ships built will disappear, and we have, though not to the full extent that I wish we had, facilities to undertake the construction of vessels which private concerns are not in a position to handle. Thus it was possible for me the day after the last appropriation bill was signed to direct the Boston and Philadelphia Navy Yards to proceed at once with the construction of the fuel ship and hospital ship authorized in the bill, whereas after the lapse of considerable time required by advertising for bids on the munition ship only one bid was received, and that in excess of the appropriation. This vessel was thereupon ordered constructed at the Puget Sound yard.

Allow me also to remind you of the difficulties that we have encountered in obtaining the prompt construction of submarines. It was only after months of negotiations and as a result of the department's insistence upon early deliveries that a reduction in time was obtained from the submarine-building companies, and now that the Navy Department is itself constructing engines for submarines it is building at its yards, we may hope for early deliveries on navy-yard-built submarines, and, as a result thereof, a quicker construction from private concerns. I need not recount to you here the difficulties in placing contracts for the scout cruisers and battle cruisers authorized in the last bill; you are undoubtedly familiar with all the circumstances. At this point allow me to call your attention to the following quotation from the first report of the Helm Board, recently printed by your committee, and to its recommendation that judicious improvement of some, if not all, existing navy yards is desirable:

"The commission deems it unnecessary to go into any further detail at present with respect to its conclusions as to abolishing any existing navy yard or naval station. The investment already made at such stations, the possibility of their full and advantageous utilization in caring for the vessels of the fleet, the extreme difficulty of meeting the requirements of the Navy and those merchant vessels which would be taken over by the Navy in time of war and could not be cared for at private shipbuilding plants, the difficulties experienced by our navy yards and private ship-repair and dry-docking establishments at the outbreak of the Spanish-American War, leave no doubt in the minds of the members of the commission as to the inadvisability of abolishing at this time or in the near future any existing navy yard within the continental limits of the United States. On the contrary, judicious improvement of some, if not all, existing navy yards is desirable, and the commission can see no just ground for the diminution of the activities of any such existing navy yards or naval stations, having in view the requirements of the fleet, present and prospective, in war as well as in peace."

I append hereto a statement showing the comparative cost of manufacture at a Government plant with the price paid to private concerns for certain munitions required by the department. The economy of Government manufacture is very clearly established, and it will be noted that until the abnormal increase in materials within the last year the cost of manufacture at the Government plants was decreasing. These Government plants have been in operation a number of years, and they have already paid for themselves over and over again, and I confidently expect that with shipbuilding firmly established at the Government navy yards they will prove as successful in economy, efficiency, and rapid production of ships.

Sincerely, yours,

JOSEPHUS DANIELS.

Hon. W. B. OLIVER,
House of Representatives, Washington, D. C.

Powder.

COST OF MANUFACTURE AT INDIANHEAD.

	1912	1913	1914	1915	1916
Direct.....	\$0.30511	\$0.29929	\$0.27621	\$0.24912	\$0.321061
Overhead.....	.08025	.08025	.08403	.072243	.096052
Interest (3 per cent on plant).....	.02210	.02210	.02048	.019893	.023609
Total cost.....	.40746	.40164	.38972	.341256	.440782

Powder purchased from E. I. du Pont de Nemours.

	Cents.
1912.....	60
1913.....	53 and 60
1914.....	53
1915.....	53
1916.....	50

GUNS.

The Naval Gun Factory has built one 16-inch 45-caliber gun, at a cost of \$77,058 for actual labor and material alone. The following table shows the relative costs of manufacture of guns with breech mechanisms:

Caliber.	Naval Gun Factory.	Lowest private bid.
16-inch 45-caliber.....		\$167,295.00
14-inch 50-caliber.....	\$89,560.00	116,000.00
14-inch 45-caliber.....	56,900.00	74,770.00
12-inch 50-caliber.....	56,700.00	72,800.00
12-inch 45-caliber.....	54,400.00	66,912.00
6-inch 50-caliber.....	11,233.00	12,283.00
5-inch 51-caliber.....	5,840.00	9,500.00
4-inch 50-caliber.....		5,772.46

Bids made in 1916 were made upon material for gun forgings that had advanced in price nearly 60 per cent since the forgings for the guns made at the Naval Gun Factory were obtained, and hence it is difficult to make an accurate comparison. The cost of the guns to the Gun Factory does not include any charge for plant or for various overhead items. In order to enable the Midvale and Bethlehem companies to construct 16-inch guns it is necessary for them to install new lathes and machinery for which their estimate is practically the amount estimated as necessary for the Naval Gun Factory, but which amount will not appear in the cost of the guns.

TORPEDOES.

The most direct comparison in the case of the torpedoes is that of the Mark VII. The torpedo station cost of this torpedo, ready to fire, is \$5,119.34. That of the Naval Gun Factory, for the first torpedoes manufactured there, is \$7,860.91, and it is expected that this will be reduced to \$5,618.62 on the second order. The cost of this torpedo from the E. W. Bliss Co. was \$6,125.91.

Another close comparison can be made in the cost of Mark IX torpedoes. The cost of this torpedo manufactured by the Bliss Co. under contract dated April, 1914, is \$7,027.86. Its cost made at the torpedo station, ordered in 1914 (as per memorandum of Commander Robison), is \$4,332.30.

MINES.

The total cost of 1 mine, complete except explosive charge, as manufactured at the Norfolk Navy Yard, is \$321.96.
Contract with Vickers dated November 7, 1913, for 1,100 mines, complete except explosive charge, fixed the cost at \$498.95 each.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Massachusetts [Mr. TAGUE], which the Clerk will again report.

The amendment was again reported.

The question was taken, and the Chair announced that the yeas seemed to have it.

Mr. TAGUE. Mr. Chairman, I ask for a division.

The committee divided, and there were—ayes 5, yeas 58.

So the amendment was rejected.

Mr. FITZGERALD. Mr. Chairman, I move to strike out the last word.

Mr. PADGETT. Will the gentleman yield? How much time will the gentleman want?

Mr. FITZGERALD. Five or maybe ten minutes.

Mr. PADGETT. Mr. Chairman, I ask unanimous consent that debate upon the paragraph and all amendments thereto close in 10 minutes.

The CHAIRMAN. The gentleman from Tennessee [Mr. PADGETT] asks unanimous consent that all debate on the paragraph and amendments thereto close in 10 minutes. Is there objection? [After a pause.] The Chair hears none. The gentleman from New York [Mr. FITZGERALD] is recognized.

Mr. FITZGERALD. Mr. Chairman, for some years it has been my custom when the naval bill was under consideration to present information as to the relative cost of manufacturing in Government yards and private yards. I have not done so at this session, because I have been so engrossed in the work of the Committee on Appropriations.

It was ascertained some years ago that the department had so indefensible a system of cost keeping in Government yards that Congress was compelled at times to take radical action in order to have a fairly accurate statement made of the cost of building ships. For instance, at the navy yard in New York it was found that the maintenance cost of the entire plant, regardless of the portion of the overhead that was properly chargeable to construction or repair purposes, was being charged to the ship. I remember I made a statement here at one time upon information furnished me confidentially by one of the paymasters in the Navy, in which I demonstrated conclusively that upon one of the ships over \$1,000,000 had been charged that did not properly belong to the cost of the ship. I do not intend to review those old facts now.

I wish to call the attention of the House to some very late information relative to the cost of Government manufacture as contrasted with private manufacture of munitions of war. Section 121 of the national-defense act provided for the appointment of a board of five citizens, two of whom should be civilians and three officers of the Army, to investigate and report on the feasibility, desirability, and practicability of the Government manufacture of arms, munitions, and equipment, showing in said report the comparative prices of the arms, munitions, and equipment manufactured in Government plants and those manufactured in private plants, and certain other things. That report was transmitted to Congress on the 2d day of January, 1907.

The board consisted of F. J. Kernan, colonel, Twenty-eighth Infantry, president; C. P. Summerall, lieutenant colonel, Field Artillery; Benedict Crowell; R. Goodwin Rhett; and L. M. Fuller, major, United States Army, retired, recorder. Mr. Rhett is president of the National Chamber of Commerce. The following firms were in touch with the board and conferred with them:

The Allis-Chalmers Co.
The American Radiator Co.
The American Locomotive Co.
The Brown & Sharpe Manufacturing Co.
The Cincinnati Milling Co.
The Du Pont Powder Co.
The General Electric Co.
The Greenfield Tap & Die Co.
The Remington Arms Union Metallic Cartridge Co.
The Winchester Repeating Arms Co.

This is a quotation from the report:

The actual data upon comparative cost is contained in Exhibit F herewith, compiled in the Office of the Chief of Ordnance and covering a period of four years past. An examination of that data discloses that with few exceptions the Government cost is less than the corresponding purchase price. This result should cause no surprise. Indeed, had a contrary state of facts been shown, a grave indictment of the Government plants would have resulted.

This board, absolutely impartial, states that if the Government manufacturing cost were not less than the private plants' selling cost it would constitute a grave indictment against the Government plants.

It says further:

For, considering the question abstractly, it appears at once that the Government cost should be less, and considerably less, as a general rule, than the private manufacturer's price, and this without any imputation upon the efficiency or the business policy of the latter. The Government has no selling expense; it carries no insurance, but merely pays its fire and accident losses at their actual cost, estimated at about three-tenths per cent; its borrowing ability, as related to the cost of its investment, is exercised at a much lower interest rate; it has the advantage of long-continued experience in a few specialized lines, and, finally, it makes no profit.

On page 9 of the report it is stated that it is difficult to say what saving has been made on certain implements and munitions, since they have not been manufactured simultaneously by Government and private plants, but the Chief of Ordnance, Gen. Crozier, has compiled a statement of the saving in such articles as were both manufactured and purchased during the past four years. The board could not definitely determine the saving where the Government was the exclusive manufacturer, but where the Government was manufacturing and purchasing the same article it was able to reach certain conclusions. The exhibit is contained in the report and discloses that certain articles, costing \$9,397,737.40 out of a total of \$35,106,523.09 manufactured by the Government at its arsenals in four years, were compared with the cost of obtaining them by contracts; that is, about 25 per cent of the Government manufacturing was compared in this total. The report shows that the same articles if bought at prices paid for similar articles would have cost the Government \$11,153,593.42. The saving to the Government, therefore, on \$9,397,000 of manufactured products was \$1,755,856.02. Practically 10 per cent is saved over what it would cost if we obtained the articles by contract.

There is no essential difference between the conduct of an establishment that manufactures large guns, rifles, ammunition, and munitions over an establishment that constructs war vessels or other industrial establishments.

In the years that I have been assigned to the duty of ascertaining the cost of Government manufacture and private manufacture at Government arsenals it has been established conclusively that the Government arsenals are manufacturing more cheaply than the Government can purchase the same articles from private manufacturers.

The gentleman from Illinois [Mr. Foss] never was friendly to navy-yard construction. He never tried to find out just what the cost was. While he was chairman of the committee we had a continual controversy to take the Government out of the control and the grip of the private contractors and to have it utilize its own establishments for the doing of essential work for the defense of the country.

We demonstrated by repeated illustrations that the navy yards did, in competition on single items, do the work more cheaply than it could be done by contract. We established it by investigations of the arsenals conducted by the War Department rather than by the Navy Department. I have not the slightest doubt but that if the committee had been headed by a man who wanted to get the facts he would have demonstrated that the Government yards were equally economical in the construction of Government ships.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. FOSS. Mr. Chairman, I ask to proceed for five minutes.

The CHAIRMAN. The Chair would state to the gentleman that the time has all been allotted.

Mr. MANN. I submit, Mr. Chairman, that in view of the personal attack, the unwarranted attack, on my colleague, he is entitled to reply.

Mr. PADGETT. I ask, Mr. Chairman, in view of the statement by the gentleman from Illinois that his colleague [Mr. Foss] be given five minutes.

The CHAIRMAN. The gentleman from Tennessee asks unanimous consent that the gentleman from Illinois [Mr. Foss] may proceed for five minutes. Is there objection?

There was no objection.

Mr. FOSS. Mr. Chairman, I am not opposed to Government construction of ships if it can be shown that there is a combination on the part of private shipbuilders to hold the Government up. It has never been shown. If it can be further shown that the Government can build ships cheaper than they can be built by private contractors—

Mr. FITZGERALD. Mr. Chairman, will the gentleman yield?

Mr. FOSS. It is shown absolutely that there has never been a case of Government construction of large ships, colliers or battleships, where it did not cost a great deal more to build them in Government yards than by private concerns.

Mr. FITZGERALD. Will the gentleman yield?

The CHAIRMAN. Does the gentleman from Illinois yield to the gentleman from New York?

Mr. FOSS. Yes.

Mr. FITZGERALD. The gentleman says it has never been shown that there is an understanding between private yards, or there is now?

Mr. FOSS. It has never been shown that there has been an understanding.

Mr. FITZGERALD. It has been shown that all the private yards submitted identical bids for the same ships. If that was not the result of an understanding it is a remarkable coincidence.

Mr. TAVENNER. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman yield?

Mr. FOSS. No; I can not yield. I have only five minutes.

Now, the trouble is that the cost-counting system in private shipbuilding concerns is one thing and in Government yards it is another thing. The Government navy yards exclude a great many things that are in the cost-counting system in private shipbuilding concerns.

Now, I am going to read a little statement that has been approved by a man in our Navy Department who knows what he is talking about on this subject of cost in Government navy yards, because he has to do directly with it. He says:

The cost of work done in navy yards does not include all the elements that enter into the cost of the work. It includes the cost of direct labor and material but does not include all the indirect or overhead charges. The new accounting instructions which were put in effect July 1, 1915, provided that certain fixed charges shall be made against the military maintenance of the yard, and this has the effect of making the cost of work appear much less than it formerly was or than it really is.

The building of a new ship in a navy yard also results in transferring to the appropriation under which she is built a certain portion of the cost of the work. In round numbers, from 25 to 28 per cent of the indirect cost is charged directly against the appropriation concerned. To make this plain, it may be stated that in the building of a ship such as the *Arizona* at the New York Navy Yard only about 70 or 75 per cent of the indirect charges are charged to the cost of that ship, the remainder being charged directly against the appropriation "Increase of the Navy." Items of cost which are not charged against the cost of work are the pay of draftsmen, of clerks, of people engaged in inspection work, bookkeepers, storekeepers, and messengers. The pay of officers concerned in the supervision of the work is not charged. Certain repairs made to the rolling stock in navy yards and the car tracks, vehicles, etc., is charged to another account than that of cost of work.

One of the big items of expense in navy yards is the annual leave of 30 days granted to employees, to say nothing about the holidays. This amounts to about 14 or 15 per cent of the cost of labor, but is charged directly to the appropriation and not against the cost of work. Similarly, disability pay is not charged in fixing the cost of work.

That is found in another item of the naval appropriation bill, or some other bill, I believe, but it is not charged against the cost of the work. I read further:

In building ships by contract the shipbuilder has to include all of the foregoing items in his cost, and, besides that, he has to charge for the investment in his plant represented by the cost of land and buildings and equipment. He has also to charge for the interest on his working capital. He has to pay insurance on his plant and on the ships while they are under construction. He has to charge for depreciation of his buildings and equipment. No such charges are made against the cost of construction in navy yards, and every Naval appropriation bill carries with it a liberal appropriation for the replacement of tools. The shipbuilder has also to pay taxes on his plant, and now also on the profits of his plant. This all tends to swell the cost of production and to make the contract-built ship cost more than one built in navy yards. Unfortunately, as pointed out by Mr. Ferguson, president of the Newport News Co., on pages 1107 and 1108 of his hearing before the House Committee on Naval Affairs (which may be found in pamphlet No. 20, entitled "Cost of preparedness"), it is impossible to get the true cost of work done in navy yards, and the shipbuilder is up against the proposition of matching his actual cost, which he can determine to a nicety, against the fictitious cost reported from navy yards.

Before the passage of the eight-hour law the bids of shipbuilders for the construction of ships was very much lower than the cost in navy yards.

The CHAIRMAN. The time of the gentleman from Illinois has expired.

Mr. FITZGERALD. Mr. Chairman, does the gentleman want more time?

Mr. FOSS. I would like to have two or three minutes more.

Mr. FITZGERALD. Mr. Chairman, I ask unanimous consent that the gentleman may proceed for three minutes more.

The CHAIRMAN. Is there objection to the gentleman's request?

There was no objection.

Mr. FITZGERALD. I want to ask the gentleman a question.

Mr. FOSS. I read further:

Since the passage of the eight-hour law, however, prices from shipyards have materially risen, until now the difference in reported cost of construction at navy yards does not differ greatly from the bids submitted by shipbuilders. If all the items of cost that should appear were included in the cost returns from navy yards, there can be no question of the fact that the cost in navy yards would be much greater than for construction by contract.

Mr. GALLIVAN. Who wrote that?

Mr. FITZGERALD. Mr. Chairman, will the gentleman yield?

Mr. FOSS. Yes.

Mr. FITZGERALD. The gentleman says we do not charge against the ship the draftsmen who prepare the plans when the ships are built in the navy yards. Do we not furnish the plans to private shipbuilders free, and that is not added to the cost of the private-built ships, although the Government bears all the expense of preparing those plans? We prepare the plans.

Mr. FOSS. The private shipbuilding concerns employ a great many draftsmen and clerks.

Mr. FITZGERALD. We prepare the plans and furnish them to the builders to work upon.

Mr. FOSS. That is true in every business. Whenever the Government contracts for a certain piece of work it is necessary to prepare the plans and specifications upon which the different concerns can bid. That is so in every line of business.

The CHAIRMAN. The time of the gentleman from Illinois has again expired. All time is expired. The Clerk will read. The Clerk read as follows:

If, in the judgment of the Secretary of the Navy, the most rapid and economical construction of the battle cruiser herein appropriated for can be obtained thereby, he may contract for the construction of said battle cruiser upon the basis of actual cost, plus a reasonable profit to be determined by him.

Mr. MANN. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Illinois offers an amendment which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. MANN: On page 60, after line 23, insert: "It is hereby reaffirmed to be the policy of the United States to adjust and settle its international disputes through mediation or arbitration, to the end that war may be honorably avoided."

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Of each of the sums appropriated by this act, except such amounts as may be required to meet obligations authorized in previous acts and for which contracts have been made, no part shall be used to procure through purchase or contract any vessels, armament, articles, or materials which the navy yards, gun factories, or other industrial plants operated by the Navy Department are equipped to supply, unless such Government plants are operated approximately at their full capacity for not less than one regular shift each working day, except when contract costs are less than costs in said Government plants, and except when said Government plants are unable to complete the work within the time required, and except in cases of emergency: *Provided*, That no part of the appropriations made in this act shall be available for the salary or pay of any officer, manager, superintendent, foreman, or other person having charge of the work of any employee of the United States Government while making or causing to be made with a stop watch or other time-measuring device a time study of any job of any such employee between the starting and completion thereof, or of the movements of any such employee while engaged upon such work; nor shall any part of the appropriations made in this act be available to pay any premium or bonus or cash reward to any employee in addition to his regular wages, except for suggestions resulting in improvements or economy in the operation of any Government plant.

Mr. MILLER of Pennsylvania. Mr. Chairman, in regard to what the gentleman from Illinois [Mr. Foss] was talking about a moment ago, I am reminded of an incident that happened about one year ago in the presence of a young gentleman who was a member of the mechanical engineering class at Ann Arbor. He, with his class, went out on a tour of inspection. The class stopped at Pittsburgh, at the Westinghouse plant, and there he saw them make casings for 3-inch shells. He came direct from there to Washington and went down to the navy yard, and they were making casing for a 3-inch shell, identically the same kind as he saw them making in Pittsburgh. He timed with a watch the making of the articles at each plant. While the workman made 15 casings in the Westinghouse plant in Pittsburgh in a given time, during the same length of time the workman at the navy yard made 1.

Now, think of that! That was on account of the increased efficiency of the man and the increased efficiency of the machinery and its operation.

But that is not all. A gentleman of this House told me about a year ago that he was down at the navy yard and was introduced to an employee from his own State who looked like a very old man, and he asked him how long he had been there. Said he, "I have been here since the year 1844, excepting four years that I was in the Army." "Why," he was asked, "my friend, how old are you?" "Why, I am only 92 years old." Is it any wonder that it takes them as long to make one article in the navy yard as it does to make 15 at the Westinghouse plant? [Laughter.]

Mr. KEATING. Mr. Chairman, of course the Members of the House are always glad of an opportunity to have the gentleman from Pennsylvania [Mr. MILLER] amuse us; but the unfortunate part of this proceeding is that when citizens of the

country read the CONGRESSIONAL RECORD they are very likely to take the gentleman's statement seriously.

Mr. MILLER of Pennsylvania. It is serious, and it is true. It was the son of the gentleman from Michigan [Mr. FORDNEY] here who saw it.

Mr. KEATING. I have no doubt in the world that the gentleman from Pennsylvania [Mr. MILLER] takes it seriously, but I do not think there is another human being who is familiar with the facts who takes it seriously. Now, the truth is that you can not manufacture 15 shells in the Westinghouse concern, or any place else, while you are manufacturing one in the navy yard.

Mr. FORDNEY. The fact is that they do.

Mr. KEATING. If that were true, if you could turn out fifteen times as much in a private establishment as they do in a Government establishment, I submit, even to the gentleman from Pennsylvania, that that result would be shown when these private establishments are bidding for Government contracts.

Mr. PADGETT. Will the gentleman yield a moment?

Mr. KEATING. I will.

Mr. PADGETT. The Government does not, in any navy yard, or elsewhere, pretend or attempt to make large shells. It has made a few experimental small shells, the largest I believe 8 inches. It is true, I presume, that they make at Pittsburgh many times more than 15 to 1 of the big shells, because the Government does not make any big shells at all.

Mr. KEATING. The fact is, as all the Members of this House who have gone into the matter know—

Mr. MILLER of Pennsylvania. Let me answer.

Mr. KEATING. If the gentleman will restrain himself just a moment—all the investigations that have been made have demonstrated that Government manufacture is cheaper than private manufacture. We had read here this morning by the gentleman from New York [Mr. FITZGERALD] a statement prepared by a board which was not friendly to Government manufacture, and the finding of that board was to the effect that the saving was at least 10 per cent, in fact, much more. I make this statement merely that some answer may appear in the CONGRESSIONAL RECORD, and that it shall not go out to the country that this House, merely because it laughed at what the gentleman from Pennsylvania [Mr. MILLER] said, indorsed what he said. [Applause.]

Mr. FORDNEY. Mr. Chairman and gentlemen, I made to the gentleman from Pennsylvania [Mr. MILLER] the statement that he repeated to the House. I visited the navy yard and saw them make 3-inch casings. I know the statement made by Mr. MILLER is correct; it does not make any difference what others say. I made a statement on the floor of this House once before, and I am going to make it again now for the information of the gentlemen here: Through the courtesy of this House I secured an appropriation for the construction of a building in the congressional district in Michigan that I have the honor to represent here. That building cost, in round numbers, fifty-nine thousand and some odd hundreds of dollars, of which about \$8,900 was spent for superintendence and plans for the construction of that building.

Mr. DAVIS of Texas. Will the gentleman yield?

Mr. FORDNEY. Yes.

Mr. DAVIS of Texas. Does the gentleman mean to have us understand that he vouches for the man being 92 years old also?

Mr. FORDNEY. No; I did not see that gentleman, but I saw the casings being made. Down here in the navy yard—I presume the same method is yet used—the method of making these shells is that when the workman puts his foot upon the pedal of a machine a rod comes down, presses the plate into the die, and makes the shell or casings. He takes it leisurely out by hand and lays it aside, picks up another plate and lays it on the die, puts his foot on the lever, and then the casing is made; whereas at Pittsburgh the machine works automatically, and the plates go through rapidly and come out in the form of casings.

Mr. MANN. Will the gentleman yield?

Mr. FORDNEY. Yes.

Mr. MANN. The gentleman from Michigan calls the outside the shell. The Committee on Naval Affairs call the inside the shell.

Mr. FORDNEY. Yes; I said shells, and I saw them made in the Westinghouse plant at the rate of 15 for every 1 made in the navy yard.

Mr. MILLER of Pennsylvania. That is the main thing—15 to 1. [Laughter.]

Mr. FORDNEY. Not 16 to 1, but 15 to 1, and that is about as near as the Government can come in doing anything practical, as compared with a private concern or an individual. [Applause.]

Mr. TAVENNER. Mr. Chairman, I move to strike out the last word. The gentleman from Illinois [Mr. Foss] stated that it had never been shown that there was any absence of honest competition between shipbuilders, and so forth. During the Fifty-third Congress Charles M. Schwab, the present head of the Bethlehem Steel Corporation, which owns shipbuilding yards, was testifying before a committee of Congress, and was asked this question:

Senator BLACKBURN. Is there any competition in the price of armor in this country as between yourselves and the Bethlehem Co.—

At that time Mr. Schwab was general manager of the Carnegie Steel Co.

Mr. SCHWAB. No, sir; assuredly not. We have always had an understanding in that matter. We—

Carnegie—

never take a contract that we do not consult with the Bethlehem about it.

Senator BLACKBURN. I asked if there is competition.

Mr. SCHWAB. No, sir; there is no competition. I want to be quite fair on that point.

Now, as to the difference in cost between the manufacture of things in arsenals and private plants, I desire to read a little further from the same document that the gentleman from New York [Mr. FITZGERALD] quoted from a few moments ago. (S. Doc. No. 664, 64th Cong., 2d sess., p. 26.) This document shows that in the manufacture of field-artillery carriages, caissons, and limbers we are manufacturing these articles in Government plants 43 per cent cheaper than we can get them from private manufacturers.

As to cannon powder, we are manufacturing it 42 per cent cheaper; 12-inch projectiles weighing 700 pounds, 80 per cent cheaper; 12-inch projectiles weighing 600 pounds, 67 per cent cheaper; optical instruments, 9 per cent cheaper. These figures were compiled by a board that I consider unfair to the Government-manufacture side. All the testimony that was presented was by the private firms that manufacture these munitions and the Army officers who are opposed to complete Government manufacture. Nevertheless, the report proves the economy of Government manufacture of munitions.

The War Department in 1913 purchased 7,000 4.7-inch shrapnel from the ammunition ring, paying \$25.26 each therefor. At the same time precisely the same article was being manufactured in a Government plant at a cost of \$15.45. The War Department paid the ring \$17.50 for a 3.8-inch common shrapnel, when it can manufacture the identical article for \$7.94. The Government has manufactured at the Rock Island Arsenal caissons for gun carriages at a cost of \$1,128.67 for which private manufacturers had been paid \$1,744.10, which is 54.6 per cent greater than the arsenal cost. Take powder. The Government has purchased \$25,000,000 worth of powder from the Powder Trust since 1905, paying therefor all the way from 53 cents to 80 cents per pound. We are manufacturing powder in Government plants for 34 cents per pound, and the officers in charge state that the more we manufacture the cheaper we can produce it. A hundred similar illustrations could be cited if time permitted.

Whenever there is a discussion of the subject of Government manufacture of munitions of war a peculiar thing develops. We find that those Members of Congress who are the leaders for excessive preparedness are also the most bitter enemies of Government manufacture. Why is this? Let them answer.

I have always contended that the test of sincerity in the demand for great preparedness is whether those who advocate it are willing that the people shall receive the preparedness which they advocate without private profit to the J. P. Morgan controlled war trust.

If those who are crying up to Heaven for greatly increased appropriations for preparation for war are wholly sincere, you would think they themselves would demand Government manufacture in order that the Nation might obtain a dollar's worth of preparedness for every dollar appropriated, instead of only 50 or 60 or 70 cents' worth.

But whenever you show me a man who is professionally agitating big Army and Navy appropriations I will attempt to show you a man opposed to Government manufacture of the preparedness he is demanding.

The Navy League of the United States, which I have on several occasions shown to have been founded and supported by war-trafficking firms, went to great trouble and expense to defeat me for reelection because I have advocated the elimination of private profit from war and preparation for war by the manufacture of Army and Navy supplies in Government arsenals and navy yards. In other words, the Navy League insists that because I advocate Government manufacture I am opposed to preparedness. The Navy League's position is that

everyone who would interfere with the profits of those munitions and armor makers who are set forth in the Navy League Journal as the founders of the Navy League is an enemy of preparedness.

In this connection I wish to state that those who allege that we are not prepared as we ought to be at this time can not lay the blame at the doors of those who have been consistently advocating in Congress the Government manufacture of Army and Navy supplies. If we are not adequately prepared, it is not because the American people have not paid in taxes the price of adequate preparedness, but because too many millions of dollars of the money appropriated for preparedness have gone into the pockets of J. P. Morgan, Charles M. Schwab, and other munitions makers in the form of excessive profits instead of into preparedness. Three firms have drawn down contracts aggregating more than \$200,000,000 from the Army and Navy Departments, and Army and Navy officers have generously paid these firms from 20 to 60 per cent more for practically every dollar's worth of these supplies than they could have been manufactured for in Government establishments.

It has been charged that the public buildings and the rivers and harbors bills are pork-barrel bills. I believe they are to a large extent. I voted against them. But the percentage of pork in those bills is but a drop in the bucket as compared to the Army and Navy appropriation bills.

I am going to vote against these so-called preparedness bills solely because they are loaded to the guards with fat, juicy pork for the private munitions manufacturers. If enough Members would vote against these bills, as myself and others are doing, it would not mean that we would not get any preparedness at this session but that the committees in charge would be forced to bring in bills making provision for Government manufacture of supplies. It would also mean that the Nation would get from one-fourth to one-third more preparedness for the same money that we are now appropriating. But, in the opinion of the Navy League and professional preparedness advocates, it is quite unpatriotic to demand that the Nation shall receive the maximum defensive power or the maximum striking power for the sums appropriated.

Mr. DAVIS of Texas. Will the gentleman yield?

Mr. TAVENNER. Certainly.

Mr. DAVIS of Texas. Does not the testimony show that not only do the munitions makers refuse to compete with each other but that they have had similar arrangements with European munitions manufacturers?

Mr. TAVENNER. The records of the Supreme Court show that for a period of about 10 years the Du Pont Powder Co. was in a contract with European powder manufacturers by which it was agreed that if the United States Government should attempt to escape the net of the Du Pont concern, which had a monopoly of the sale of smokeless powder to the Government, and should ask for a bid from the European powder makers, the latter were bound by the terms of the contract first to write to the Du Ponts and ascertain what prices the Du Ponts had quoted to the American Government, and then not to quote any lower price. The same arrangement existed as regards any attempt of the European Governments to escape the strangle holds of the European powder firms by attempting to buy powder in America.

Mr. KELLEY. Mr. Chairman, one of the reasons it is thought wise for the Government to enter the field of manufacture at all is to determine the cost of manufacture of various articles needed by the Government. Unless we do accurately determine the cost of manufacture in plants operated by the Government it is not going to help us very much in ascertaining what is a fair price to be charged by private manufacturers. I think, from what investigation I have been able to make since I have been a member of the Committee on Naval Affairs, that there is some basis for the belief that the Government does not know accurately what it costs to manufacture articles made in Government plants. I think we ought, beyond all doubt, to clear up this matter of cost in Government manufacture. The Government should install a system of cost accounting which will accurately convey to Congress and to the people of the country the exact cost of production, and then we will know what we are doing and whether we are making money or losing money by doing the work ourselves.

Mr. MANN. Will the gentleman yield?

Mr. KELLEY. Certainly.

Mr. MANN. We have just made an appropriation, altogether, of \$18,000,000 to fix up certain navy yards. A part of that—probably the major part of it—is to equip navy yards for the construction of capital ships. How can anybody tell what proportion of that equipment is to be charged to any one ship?

Mr. KELLEY. I will say to the gentleman that the present chief accountant of the Navy Department—Admiral McGowan—has just completed a survey of all the navy yards of the Government. He has made charts showing the layout of every shop in the various navy yards. He has undertaken to assign the amount of depreciation of every machine in every one of these shops to a given piece of work. From a calculation of the use of shops and machinery in the production of any given work the total overhead charge as compared with the cost of labor or material has been thoroughly worked out by the department. This system follows closely upon systems now in use in private plants generally in the country.

Now, I will say further to the gentleman from Illinois that the Secretary of the Navy has not yet put this new system into operation, and if by the time we make the next bill it has not been put in operation I shall do all I can to have the matter taken care of by appropriate legislation.

Mr. MANN. Very well. Suppose you equip a navy yard with a \$6,000,000 equipment for the construction of capital ships and you then build one capital ship that will cost \$15,000,000 and you never build any more; the whole thing is charged against that one ship. How does anybody know how many more ships will be constructed at the same navy yard? The Lord can not tell what Congress is going to do, nor anybody else.

Mr. KELLEY. That would be more or less true of private construction as well; but the Government ought to be able to say with as much certainty as a private corporation what elements ought to go into the overhead charges. It has been ascertained in this system of accounting which Admiral McGowan has worked out that the proper overhead to be included as an overhead charge against any ship is about 65 per cent of the labor cost entering into the ship. This of course has nothing to do with profit.

Under a system like that the proper overhead can readily be ascertained and can be added to the cost of labor, which is definite, and the cost of material, which is definite, and then you can get the accurate cost to the Government of the ship.

Mr. GARLAND. But how can the Government, in the gentleman's estimation, secure this information when every bill practically that is passed here carries a provision that time shall not be taken into consideration. The stop-watch clause, as it is referred to, precludes the possibility of what the gentleman speaks of.

Mr. KELLEY. There ought not to be any trouble at all about the Government being able to determine cost, any more than a private manufacturer. And until we do put some system into effect which will do this we will have no proper check upon cost of work done for the Government under private contract.

The Government undertakes to supervise the corporations of the country. We have a Federal Trade Commission, and that commission has recommended a uniform system of accounting to be adopted generally in order to determine accurate costs of manufacture throughout the country, and if the Government can work out such a system as that for private corporations, it does seem to me that we ought to be able to do it for the Government itself.

The CHAIRMAN. The time of the gentleman from Michigan has expired.

Mr. BUTLER. Mr. Chairman, I ask unanimous consent that the gentleman from Michigan have one minute more in order that I may be able to ask him a question.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. BUTLER. Does the gentleman know whether or not this cost-accounting system of which he speaks has been used in an effort to ascertain what the real cost of these great cruisers may be; and if so, how nearly it comes to the estimate placed upon the cost by the private builder himself?

Mr. KELLEY. In reply to my colleague I will say that it is my understanding that the estimate of the Government of the value of material and the value of the labor entering into these cruisers and the proper amount of overhead charges, which should be added to the cost of labor and material, making the full cost of the ship, is almost identical with the amount estimated for material, labor, and overhead charges by private concerns bidding for these ships.

Mr. PADGETT. There was some difference in overhead charges. They grouped profit and overhead charges together, the gentleman will remember.

Mr. VARE rose.

Mr. PADGETT. Mr. Chairman, will the gentleman yield to me for a moment?

Mr. VARE. Yes.

Mr. PADGETT. How much time does the gentleman desire?

Mr. VARE. Five minutes.

Mr. PADGETT. Mr. Chairman, I ask unanimous consent that all debate upon this paragraph and all amendments thereto close in 15 minutes.

Mr. GARLAND. Mr. Chairman, I desire to have five minutes.

Mr. PADGETT. Will not the gentleman take that on the next paragraph?

Mr. GARLAND. Certainly, if I can speak upon this same subject.

The CHAIRMAN. The gentleman from Tennessee asks unanimous consent that all debate upon this paragraph and all amendments thereto close in 15 minutes. Is there objection?

There was no objection.

Mr. VARE. Mr. Chairman, there has been a great deal of discussion concerning the relative difference in efficiency between the private shipyards and the Government shipyards. I am extremely sorry that my friend from Illinois [Mr. Foss] is not present, for I would be able to call to his attention an instance which he possibly has overlooked in the construction of a transport quite recently. A discussion was had upon the floor of

the House relative to the bids received for the transport *Henderson*, recently launched at the Philadelphia Navy Yard. At the time of opening bids for this ship there were five bids received by the Government from private yards, as follows:

[Bids opened Dec. 20, 1913.]

Transport "No. 1."

Bidder.	Class.	Time.	Speed.	Price.
		Months.	Knots.	
New York Shipbuilding Co.....	1	24	14	\$1,752,000
Fore River Shipbuilding Co.....	1	24	14	1,804,000
Seattle Construction & Dry Dock Co.....	1	24	14	1,931,100
Newport News Shipbuilding & Dry Dock Co.....	1	24	14	1,725,000
The Wm. Cramp & Sons Ship & Engine Building Co.....	1	24	14	1,825,400

¹If tried at Lewes, Del.

The lowest bid was from the Newport News Shipbuilding Co., and their price, as above stated, was \$1,725,000. The Secretary of the Navy was not satisfied as to the reasonableness of that bid and he invited the Government navy yards to compete and also submit bids for the construction of the ship as follows:

Transport "No. 1."

Item and division.	Navy yards.					
	Mare Island.	New York.	Norfolk.	Portsmouth.	Puget Sound.	Philadelphia.
Labor:						
Hull.....	\$448,830	\$744,258	\$543,800	\$587,131	\$493,896	\$379,094.00
Machinery.....	155,228	162,594	187,015	184,640	184,281	150,235.18
Material:						
Hull.....	427,931	453,547	380,250	449,326	390,693	419,682.00
Machinery.....	259,039	241,205	261,700	329,206	218,893	216,164.01
Indirect:						
Hull.....	190,492	242,748	212,130	162,945	219,202	135,862.00
Machinery.....	70,335	50,318	76,137	63,180	81,826	48,532.77
Total:						
Hull.....	1,067,253	1,440,553	1,136,180	1,199,402	1,103,791	924,638.00
Machinery.....	484,622	454,177	524,852	577,026	485,000	414,931.99
Total (yard estimate).....	1,551,875	1,894,730	1,661,032	1,776,428	1,588,791	1,349,569.99
Yard estimates for drafting:						
Bureau of Construction and Repair.....	None.	None.	51,000	128,900	14,000	43,000.00
Bureau of Steam Engineering.....	None.	None.	None.	15,000	15,000	12,500.00
Total estimate.....	None.	None.	51,000	143,900	29,000	55,500.00

¹Not included in total estimates submitted by yard.

²Includes also reporting weights, mold loft work, and inclining experiments.

It was said at the time by the gentleman from Virginia [Mr. JONES] that on the one hand was a legitimate bid, backed up by bond from Newport News Shipbuilding Co., and on the other side a mere guess by irresponsible navy-yard employees. I said on the floor of this House that if it were possible as a business proposition I would be willing to give my personal bond as a guaranty that the employees of the Philadelphia Navy Yard would be able to carry out their estimate and finish the ship in accordance with their proposition. Of course, that was not a practical thing to do, but, however, there was a promise on their part to save \$320,000 upon the construction of the ship. I want this House to know that that ship has been launched and is practically completed, and that instead of saving \$320,000 to the Government they have saved more than \$400,000. [Applause.]

I want to call the attention of this House to the fact that in making the calculations there was a liberal allowance for insurance, a liberal allowance for additional electric lighting, and an additional allowance estimated for compensation so that there were full and adequate overhead charges when the final estimate was made. I am not in favor as a general proposition of Government ownership, but I am in favor of this Government being in a position not only to give assistance to a great policy of naval preparedness, but I believe in the equipment of these navy yards as a good business investment for the Government in order that it may at all times be able to ascertain what is a reasonable, fair, and proper charge for the construction of these ships; and I am quite sure that if the Secretary of the Navy in his wisdom directs the building of any of these large ships at the navy yard in the city of Philadelphia that the officials and employees of the Philadelphia Navy Yard will not only make good in the future but they will verify the splendid record they have made in the past. [Applause.]

Mr. CURRY. Mr. Chairman, I represent a navy-yard district. I am not one of those who claim that all naval ships should be constructed in navy yards, but I do say that at least half of the battleships, destroyers, colliers, submarines, and the

other ships of the Navy should be constructed in navy yards when the navy-yard estimates are as low or lower than the private yard bids. Even though the yards do not construct a single ship, if they are equipped to build ships and are in a position to bid, it saves the Government money, because the private yards then, on account of competition with Government yards, have to build for a reasonable profit and will be compelled to construct the ships within a reasonable time. Since the navy yards have been permitted to estimate upon these ships the private yards have been bidding at a more reasonable price, and they have been constructing the ships in quicker time.

Invidious comparisons have been made between the construction in private yards and navy yards to the detriment of the navy yards. I have some figures here that show the navy yards, and particularly the Mare Island Navy Yard, have saved the United States Government a great deal of money. The following figures are on construction awarded to the Mare Island Navy Yard during the past five years. In every instance the estimate of the yard was lower than the private bid, the Mare Island Yard in every instance being lower. First, take the bid on the collier *Jupiter*. The Mare Island estimate was \$1,130,000. That was lower than any private bid submitted. Mare Island constructed that ship for \$980,000, or \$150,000 under the estimate. The river gunboats *Monocacy* and *Palos* were estimated for at \$278,000, and the actual cost of construction was \$239,600, a saving of \$38,400. The fuel ship *Kanawha*, estimate of cost \$1,120,000, actual cost \$944,000, a saving of \$176,000. The fuel ship *Maumee*, estimate \$707,000, cost \$617,000, saving \$90,000. The oil barges No. 8 and No. 9, estimate of cost \$148,000, cost \$128,000, saving \$20,000. Two coal barges, estimate \$240,000, cost \$226,000, a saving of \$14,000 under the estimate. The total of all estimates was \$3,623,000, the total cost was \$3,134,600, a total saving under the estimate of \$488,400.

Mr. GARLAND. Will the gentleman yield?

Mr. CURRY. In a moment. To this saving to the Government should be added the difference between the lowest bid by

a private yard and the estimate on which the award was made to the Mare Island Navy Yard, which would increase the saving to the Government over a million dollars more.

Mr. GARLAND. How are the estimates ascertained—by contract, by bids on the proposition, or by some individual just estimating—and who is he who estimates?

Mr. CURRY. The estimate is made under the direction of the commandant of the yard, Capt. Bennett, and Naval Constructor Gleason, and the evidence that the estimates were correct is that the ships are built, are sailing the ocean, and the money that was saved is in the Treasury of the United States, and Mare Island has not come to Congress for a deficiency. [Applause.] I have not at hand the exact saving to the Government on the construction of the *Shaw* and other new work built at the yard last year, but I know it amounted to more than \$200,000 under the estimates.

The CHAIRMAN. The time of the gentleman has expired.

Mr. CURRY. Mr. Chairman, may I have my time extended a minute more?

The CHAIRMAN. The time has been limited, the Chair will say to the gentleman from California.

Mr. CURRY. I just wanted to call attention to the fact that the *California* was awarded to Mare Island on an estimate of \$7,100,000, and the lowest bid from a private yard was \$7,700,000, and I am assured by Capt. Bennett and Constructor Gleason that the *California* will be constructed within the time limit and estimate of cost.

Mr. TAGUE. Mr. Chairman, in order to offset the statement of the gentleman from Illinois [Mr. Foss] as to the cost of work by the Government, I am going to ask to insert in the Record letters which were sent to this House last year by the Secretary of the Treasury, and also by Brig. Gen. William Crozier, Chief of Ordnance, and I will now ask unanimous consent to insert those letters.

The CHAIRMAN. The gentleman from Massachusetts asks unanimous consent to extend his remarks in the Record in the manner indicated. Is there objection? [After a pause.] The Chair hears none.

Mr. TAGUE. Mr. Chairman, when I presented the amendment asking for equipment of the navy yard at Boston I expected I would hear a voice from the Republican side of the aisle expressing the sentiment of the people of Boston and to assist me in getting an appropriation for the Boston Navy Yard. Since this bill has been before the House I have been constantly in attendance trying to do my utmost in perfecting the bill and every few days the editorial writers of the papers in my city in their news columns printed editorials upholding the good work of my distinguished Republican colleague from Boston [Mr. TINKHAM] in that he had taken to task the Secretary of the Navy because he had not equipped the Boston Navy Yard and that nothing was being done there to help the department. But to-day as in other days his voice is silent and we have not heard him express himself.

Mr. STAFFORD. Will the gentleman yield?

Mr. TAGUE. Yes.

Mr. STAFFORD. In fairness to the gentleman from Massachusetts [Mr. TINKHAM] to whom the gentleman has referred and criticized because he has not raised his voice in justification of the enlargement of the Boston yard, is it not fair to say that he is now engaged in some very important work before the Committee on the District of Columbia?

Mr. TAGUE. Mr. Chairman, in fairness to the gentleman, let me say the navy yard is situated in the district I have the honor to represent.

Mr. LOBECK. If the gentleman will permit, I desire to say the District Committee adjourned at 11.30.

Mr. TAGUE. Mr. Chairman, it is now 2.30 p. m. I am only criticizing my distinguished colleague in a friendly manner because of the fact that certain newspapers have criticized the Democratic administration which has been giving so much work to our yard, and have played up in headlines that he was going to have a battleship built there and how he criticized the Secretary of the Navy because he had not done anything to equip that yard. On the contrary, Mr. Chairman, the navy yard at Boston was never in such a good condition as it is to-day.

Since Secretary Daniels has become Secretary of the Navy he has been very fair with the Boston Navy Yard. He has added to the improvement year by year, and has shown a very friendly disposition for further improvement. It is his intention to keep the yard constantly employed by the building of ships of the 12,000 to 15,000 ton size, thereby giving constant employment to the men in every branch. Naturally the people of our district want to see the yard equipped in such a manner

that they can build the larger type of ship, and I am one of those who has worked constantly for the necessary improvements made to bring about this work. No yard has improved more rapidly than ours and it is unfair to say that we have suffered at the expense of any other yard in the country.

As I said in remarks I made a few minutes ago we have every equipment available excepting the enlarged ways, the necessary new machinery, and a few new cranes for the building of battleships, and that was my contention, and is now, that one should be built there. We have 3,300 men employed there to-day working in the yard, as against 1,900 four years ago.

We have recently built and launched the supply ship *Bridge*, which is the first ship built at the Boston Navy Yard in more than 50 years. She is now almost completed and will be in commission in a very short while. She is the sister ship to the ship referred to by the gentleman from Philadelphia [Mr. VARE].

When the bids were made for the building of this ship the Boston Navy Yard was the lowest bidder by more than \$100,000, and it was a question as to whether or not they could complete the ship within the specified cost. Not only has this been done, but I am assured by the Navy Department that she will be completed within the cost and within the time specified in the contract. The keel for this ship was laid in June, 1915, and she is now practically completed with the exception of a few slight finishing touches and will be in commission within a month. I believe this bears out our contention that ships can be built in our navy yards as well and as cheaply as they can in private yards.

Since I have been a Member of Congress I have devoted a great deal of my time and attention in procuring work for men and equipment for making our navy yard one of the best in the country. I think it is only fair to say at this time that in my endeavors I have had the assistance of Hon. Josephus Daniels, present Secretary of the Navy, who has shown a splendid disposition to do all in his power to bring our yard up to a high class of efficiency. He has assured me that it is his intention to keep the yard going as rapidly as possible in the building of ships of a lighter size than battleships. For 16 years previous to his administration we have had Massachusetts men serving as Secretaries of the Navy. We have had Hon. William H. Moody, the late Hon. John D. Long, and Hon. George von L. Meyer. Not any of these men have during their time shown any great disposition to build up the yard, but, on the contrary, Mr. Meyer recommended that the yard be closed and abolished. I believe that it was a disgrace to our Government that these men, coming from Boston, left the yard in such a deplorable condition, and it is extremely amusing to hear at this time my Republican friends, now out of power, criticizing an administration which is doing so much to improve a navy yard which they practically reduced to a scrap heap during 16 years of Republican rule and which they could, if they had had the interest of the people at heart, have made it one of the leading yards of the country. When I came to Congress two years ago there were only 1,900 men employed at the navy yard, while to-day there are 3,500 employed there, and, with the additional work now being sent there, it will mean the employment of many more men. The men are receiving better wages than ever before, and a splendid force of workmen is now employed. During the past year more men were employed, more work was turned out from the shops, and more repair work done on ships than ever before in the history of the navy yard. The rope walk has increased its output by more than 100 per cent, and we are manufacturing the largest and best rope that can be procured. Our blacksmith shops are turning out the largest chains ever made for the Government and have improved their output by more than 400 per cent. All of the other departments have improved in the same manner, and at one time we had 42 ships undergoing repairs. During the past year, together with the minor repairs on the ships above mentioned, we have completely overhauled several of the larger ships, such as the *Georgia*, which was repaired at a cost exceeding \$600,000, and the *Virginia*, with repairs amounting to more than \$550,000. We have also built several torpedo-testing barges, costing \$125,000 each, and at the present time are ready to lay the keel of a new hospital ship which is to cost \$1,500,000. I call these matters to the attention of the House for the purpose of showing that we are ready to engage in any class of work in the building of ships for the Navy, and I am certain that, with the force of men now employed at our yard, they could show to the people of the country that the proper place for the building of the ships for the Navy is in the navy yards now owned by the Government.

The letters are as follows:

DECEMBER 20, 1915.

HON. LINDLEY M. GARRISON,
Secretary of War, Washington, D. C.

MY DEAR MR. SECRETARY: I have been turning over in my mind the possibility of saying something on the floor of the House of Representatives in relation to munitions and other supplies manufactured by Government plants.

Will you please be good enough to send me at your earliest convenience such printed data as you may have on the subject with reference to the various arsenals and other plants under the jurisdiction of the War Department, and particularly will you please furnish me with the following information:

First. In preparing cost data do the various plants carry as an overhead charge the interest upon the money invested in them; and if so, at what rate of interest?

Second. Is depreciation in value of buildings, machinery, and tools taken into consideration; and if so, what percentage in the various articles?

Third. Do the various plants carry as an overhead charge any amount for supervision from the office of the Secretary of War or the bureau under whose immediate jurisdiction they are working?

Fourth. Are any of the salaries of the officers who have supervision or direction or any kind of control of the work in the plants omitted from the cost data; and if so, to what extent?

Fifth. In purchasing materials do the plants pay more or less than is paid by private concerns; and if so, why?

Sixth. Do the employees engaged in work in the various plants receive the highest, the average, or a lower rate of pay than that given by private concerns in the same line of business? What comparison would you make as to hours of labor of the men and pay of supervisory force?

Seventh. Is the product produced by the plants superior, equal to, or inferior to the product obtained from private enterprise?

Eighth. What comparison with private enterprise can you make as to the time required to produce a unit?

Ninth. Do the plants carry in their cost data interest on expenditures from the time of the first outlay until the job is completed?

Tenth. Does the cost data include the expenses of repairs and replacement of tools and machinery and repairs to buildings?

Eleventh. What has been the increased value of plant, real estate, etc., per annum since its original purchase?

If there are no figures available to answer these questions specifically, will you please furnish me, if you can, a general statement which will approximate as accurately as possible?

Assuring you of my belief in the efficiency of Government work in Government shops and my sincere appreciation of any courtesies extended to me, I am,

Yours, sincerely,

M. O.

WAR DEPARTMENT,
OFFICE OF CHIEF OF ORDNANCE,
Washington, December 23, 1915.

HON. CHARLES POPE CALDWELL,
House of Representatives, Washington, D. C.

DEAR SIR: 1. Your communication of the 20th instant, addressed to the Secretary of War (0.0000.71/96), has been referred to this office for reply. No printed matter relative to the method of arriving at costs used by this department is available, but a typewritten memorandum on this subject, prepared some time ago, is inclosed. Replies to part of your question are covered by this memorandum. The answers to your questions will be numbered to correspond to the questions.

First. Yes; 3 per cent on money invested.

Second. Yes; buildings from 2 to 8 per cent, depending upon whether frame, brick, concrete, or stone; machinery, 4 to 10 per cent, depending upon size and use; allowance for depreciation.

Third. Yes; reference to page 2 of the memorandum herewith will show the items which are considered in determining the War Department overhead and the percentage of the total cost of these items that is considered in arriving at this charge. It will be noted that it amounts to 3.59 per cent.

Fourth. No; 80 per cent of the total pay of the officers so employed is included in arriving at total cost.

Fifth. It is difficult to say, but it is believed that the Government, as a rule, gets slightly lower prices.

Sixth. Instructions as to wages to be paid require that the same wages shall be paid as is paid for the same or similar work in the vicinity. The same rule also applies to the civilian supervisory force. The hours of labor in private plants are, as a rule, 9 or 10, as compared with 8 hours in the Government shops. Many private plants, however, give a half holiday throughout the year on Saturday, but it is without pay, whereas a half holiday with pay is given in the Government service from June 15 to September 15. Leaves, holidays, and half holidays now granted amount to 28½ days per year, without pay.

Seventh. The inspection of material produced in private plants, as a rule, insures the product being equal to that produced in Government plants, although in some cases the product has been slightly inferior to that produced by the Government.

Eighth. No advantage can be claimed as to the time required in producing material in the Government plants, as compared with private plants.

Ninth. In only one case has the Government taken into consideration interest on the material involved from the first outlay until the job is completed. This is in connection with the manufacture of smokeless powder at Picatinny Arsenal.

Tenth. Yes; cost includes repair and replacement.

Eleventh. This is difficult to answer. The land occupied by the various arsenals was purchased many years ago, some as early as 1795, and has had the same appreciation that land has had generally in the vicinity.

Referring to the memorandum herewith, it should be noted that the appropriation cost is that usually referred to and given in price lists and is the price used in connection with all transactions with the Army and in certain other special cases. To this price is added the general arsenal burden and War Department burden in making certain other sales; also when comparing arsenal cost with that of private manufacturers. In paragraph 2 on the first page of the memorandum will be found a number of arsenal burden factors. The

average for all arsenals is approximately 14.4, which, added to the War Department burden given on the second page, makes the average overhead 18, which is the percentage charged in addition to the appropriation cost, as stated in certain cases.

Respectfully,

WILLIAM CROZIER,
Brig. Gen., Chief of Ordnance

Memorandum on costs of property manufactured by the Ordnance Department.

These costs include:

1. Appropriation or allotment cost.
2. General arsenal burden.
3. War Department burden.

In greater detail these are as follows:

1. Appropriation cost: The amount chargeable to and defrayed from the appropriation to procure the article.

2. General arsenal burden includes:

(a) Capital cost, or interest on capital invested at 3 per cent. Manufacturing buildings, machinery, wagons, etc., per cent in actual use. Administrative buildings, barracks, quarters, hospitals, etc., at 80 per cent actual value for six principal arsenals.

(b) Depreciation: From 2 to 10 per cent a year. Buildings, 2 to 8 per cent, depending on whether frame or concrete, brick or stone, and use. Machinery, 4 to 10 per cent, depending on size and use of tools. Average annual repairs.

(c) Insurance (fire and accident) at 0.3 per cent.

(d) Administrative cost: Eighty per cent of total, pay of officers and enlisted men, subsistence, clothing, care of grounds, medical service, and pay of clerks, etc., paid out of other than manufacturing appropriations.

Arsenal burdens recently determined, as per above: Frankford, 0.0973; Picatinny, 0.1844; Rock Island, 0.1018; Springfield, 0.1256; Watertown, 0.1507; Watervliet, 0.1792.

Average value of six arsenals, 0.1185.

Arsenal burden=(a)+(b)+(c)+(d) and annual appropriation cost of manufacture, repair, and alteration of ordnance and ordnance stores.

3. War Department burden:	Per cent.
1. The Adjutant General's Office	
2. Inspector General's Office	
3. Quartermaster General's Office	
4. Commissary General's Office	
5. Surgeon General's Office	+ 5.7
6. Paymaster General's Office	
7. Pay, commutation heat and light allowances of officers on duty in the above-mentioned bureau offices.	
8. Office of the Secretary of War	
9. Judge Advocate General's Office	
10. Contingent expenses, War Department	
11. Stationery, War Department	
12. Postage to Postal-Union countries	
13. Rent of buildings, War Department (excluding Division of Militia Affairs and Bureau of Insular Affairs)	+ .94
14. Maintenance of State, War, and Navy Department Building (War Department share, 48 per cent)	
15. Interest at 3 per cent on cost of State, War, and Navy Department Building (War Department share, 48 per cent of total)	
16. Proportion of expense of office of Chief of Ordnance which is chargeable to manufacturing operations.	+ 100
17. Pay of retired officers and enlisted men of the Ordnance Department	

The sum of items 1 to 17 include War Department's burden = 0.0359
Total manufacturing appropriations of Ordnance Department.
About 1914.

DECEMBER 20, 1915.

HON. JOSEPHUS DANIELS,
Secretary of the Navy, Washington, D. C.

MY DEAR MR. SECRETARY: I have been turning over in my mind the possibility of saying something on the floor of the House of Representatives in relation to the construction of ships and munitions in Government plants.

Will you please be good enough to send me at your earliest convenience such printed data as you may have on the subject, with reference to the various navy yards and other plants under the jurisdiction of the Navy Department, and, particularly, will you please have the following questions answered:

First. In preparing cost data, do the various plants carry as an overhead charge the interest upon the money invested in them; and if so, at what rate of interest?

Second. Is depreciation in value of buildings, machinery, and tools taken into consideration; and if so, what percentage in the various articles?

Third. Do the various plants carry as an overhead charge any amount for supervision from the office of the Secretary of the Navy or the bureau under whose immediate jurisdiction they are working?

Fourth. Are any of the salaries of the officers who have supervision or direction or any kind of control of the work in the plants omitted from the cost data; and if so, to what extent?

Fifth. In purchasing materials, do the plants pay more or less than is paid by private concerns; and if so, why?

Sixth. Do the employees engaged in work in the various plants receive the highest, the average, or a lower rate of pay than that given by private concerns in the same line of business? What comparison would you make as to hours and labor of the men and pay of supervisory force?

Seventh. Is the product produced by the plants superior, equal to, or inferior to the product obtained from private enterprise?

Eighth. What comparison with private enterprise can you make, as to the time required to produce a unit?

Ninth. Do the plants carry in their cost data interest on expenditures from the time of the first outlay until the job is completed?

Tenth. Does the cost data include the expenses of repairs and replacement of tools and machinery and repairs to buildings?

Eleventh. What has been the increased value of plant, real estate, etc., per annum since its original purchase?

If there are no figures available to answer these questions specifically, will you please furnish me, if you can, a general statement which you will approximate as accurately as possible?

Assuring you of my belief in the efficiency of Government work in Government shops and my sincere appreciation of any courtesies extended to me, I am

Yours, sincerely,

NAVY DEPARTMENT,
Washington, January 24, 1916.

HON. CHARLES P. CALDWELL, M. C.,
House of Representatives, Washington, D. C.

MY DEAR MR. CALDWELL: Replying in detail to the questions as to navy-yard costs appearing in your letter of December 20, 1915:

First. Interest on capital invested is not taken into account, it being purely hypothetical in Government work.

Second. Until recently no satisfactory method has been worked out for showing depreciation in costs, owing to the legal impossibility of setting up an actual fund for replacements; consequently up to the present time such a charge has not been included in the cost of work.

Third. The salaries of departmental officials are not included in the cost of work; the establishment charge stops at the yard limits, as to recognize any other principle would extend the question into a purely academic field, including the whole cost of government—executive, legislative, and judicial.

Fourth. The salaries of navy-yard officials have not up to the present time been included in costs, as it has only been within the last few months that a satisfactory method has been developed whereby the cost system is divorced from the system required by law, whereby the pay of officers is charged to an appropriation other than the shipbuilding appropriation.

Fifth. Owing to lack of information as to prices paid for material by private corporations, it is impracticable to make a satisfactory comparison with prices paid by the Government.

Sixth. The rates of wages of navy-yard employees conform to the standard of the private establishments in the immediate vicinity of the respective navy yards. The hours of labor in navy yards are eight per diem. Contracts for new ships built by private establishments contain the following provision: "Subject to the conditions enumerated in section 2 of the eight-hour law of June 19, 1912, no laborer or mechanic doing any part of the work contemplated by this contract in the employ of the contractor or any subcontractor contracting for any part of said work contemplated shall be required or permitted to work more than eight hours in any one calendar day upon such work." The pay of supervisors in private plants must, of course, vary widely in different forms of organization and with the merit of the individual concerned, and comparison with the pay of Government supervisors is scarcely practicable. In general it is believed the standards of pay are much the same.

Seventh. The products of the navy yards and of private plants are manufactured under the same specifications and are subject to the same inspection.

Eighth. The records show that the average time for building the *Connecticut*, *Florida*, and *New York*, all Government-built ships, was 3 years 2 months and 26 days, and that the average time required for the contract-built vessels *Louisiana*, *Utah*, and *Texas* was 3 years 2 months and 16 days.

Ninth. Interest on expenditures from the time of outlay until the work is completed is not taken into account in navy-yard costs, not only because interest is in itself purely hypothetical in Government work, but also because when money is expended at a navy yard for labor and material there is no period of idleness for which interest could be computed, all such expenditures being immediately converted into Government assets in another form.

Tenth. Up to the present time only a part of the expense of repairs and replacements of tools and machinery and repairs to buildings are included in navy-yard costs.

Eleventh. The additions to the industrial navy-yard plants in the United States from the year 1906 are indicated by the following figures, showing value of total investment year by year:

1906	\$97, 118, 756. 28
1907	102, 395, 093. 42
1908	107, 397, 918. 34
1909	112, 135, 600. 51
1910	117, 529, 533. 43
1911	124, 252, 642. 49
1912	130, 081, 736. 61
1913	134, 556, 994. 89
1914	138, 898, 402. 78
1915	143, 269, 953. 76

I will be very glad to furnish you with any further information desired.

Sincerely, yours,

JOSEPHUS DANIELS,
Secretary of the Navy.

The Clerk read as follows:

That no part of any sum herein appropriated shall be expended for the purchase of structural steel, ship plates, armor, armament, or machinery from any persons, firms, or corporations who are parties to any existing combination or conspiracy to monopolize the interstate or foreign commerce or trade of the United States, or the commerce or trade between the States and any Territory or the District of Columbia, in any of the articles aforesaid, and no purchase of structural steel, ship plates, or machinery shall be made at a price in excess of a reasonable profit above the actual cost of manufacture. But this limitation shall in no case apply to any existing contract.

Mr. GARLAND. Mr. Chairman—

Mr. SMITH of Idaho. Mr. Chairman, I wish to offer an amendment.

The CHAIRMAN. The Chair thinks the gentleman from Pennsylvania is first entitled to recognition.

Mr. GARLAND. Mr. Chairman, I move to strike out the last word. I know something about costs in the Government departments, as I have been with a Government department in a certain capacity for a number of years. I know something about the plan of making up costs by the Government. I want to say right here, Mr. Chairman and gentlemen of the committee, that I would not accept any cost established by any de-

partment of the United States Government unless some outside auditing committee went over it in order to prove whether it was correct or not. The gentleman tells us that there are estimates of costs of ships made by the Government, and then they proceed to build them, and that they build them for less than the estimate. Everybody knows that when they make an estimate of cost on anything the Government makes it high enough, so that they can get an appropriation in order to finish it, but that is not proof of the reduction in cost. The only way you can prove an estimate is by bidding by outside parties as to the actual cost of any proposition. That estimate business reminds me of some of these clothing advertisements that we see on the pages of the newspapers, reading:

These pants were \$4; reduced to \$2.99 to-day.

You see that every once in a while. The price is put up, and then they are sold at the actual regular price. And it is called a reduction.

As proof of what I say, the private manufacturers of munitions—and this is known to most everybody, as it has been in every newspaper—employed United States officers connected with the War and Navy Departments to operate their plants down here in New Jersey and throughout the country, assuming by the showing made to the Government that the officers know about the costs. And we find from the newspapers—and the fact was brought out on this floor—the fact that every one of them who had been proving to the Government how cheaply they could make any article, proved failures when they went into the employ of a private manufacturer.

Then gentleman from Illinois [Mr. MANN] showed to you or pointed the way of costs in the Government. You have to take the article, the time in which it takes to make the article, and then count the overhead and all other costs. The money invested and the cost of the plant have to be charged up against that particular time in which you are making an article; and that is the only proof. One time it will cost more than at another, because it takes longer, perhaps, to make it. So that is the only plan on which you can ascertain the real cost. And yet, gentlemen, we find that there are certain men on this floor who have been insisting upon and have been putting in every bill a provision against what they are pleased to call the stop-watch system against the taking of the actual time that is required to make an article. How in the world are you going to ascertain what it costs to make an article? I am for a retirement proposition, and I think that legislation is an enemy to it. We see staggering in every department here—

Mr. KEATING. Will the gentleman yield?

Mr. GARLAND. I have only a minute. If the gentleman will go up to any department of the Government he will find old men and old women staggering around there with whom the young, able fellow must be compared in his work. No wonder it costs the Government money.

The CHAIRMAN. The time of the gentleman has expired.

Mr. KEATING. Mr. Chairman, I ask unanimous consent that the gentleman's time be extended a minute.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. KEATING. I wanted to ask the gentleman if the gentleman, in his judgment, considered the Taylor system a good thing for the workers of this country?

Mr. GARLAND. I never heard of "the Taylor system."

Mr. KEATING. Does the gentleman mean to say—

Mr. GARLAND. On this floor there was the question of the stop-watch system introduced, but no Taylor system.

Mr. KEATING. Does the gentleman mean to say to the House and the country that he knows nothing about the Taylor efficiency system?

Mr. GARLAND. I do not know anything about Mr. Taylor. I know about the efficiency system.

Mr. KEATING. Do you believe in the stop watch being used?

Mr. GARLAND. I believe in taking the time that is consumed in making an article, in order to get the real cost of it. [Applause.]

Mr. KEATING. Do you believe in using the stop watch on the workers in Government and private plants in this country?

Mr. GARLAND. I believe in using such means of ascertaining time as may be necessary in order to determine the cost to the Government of making an article, and that is what you do not believe in. [Applause.]

Mr. KEATING. The gentleman is mistaken as to my position.

The CHAIRMAN. The time of the gentleman from Pennsylvania [Mr. GARLAND] has expired.

Mr. SMITH of Idaho. Mr. Chairman, I offer an amendment. The CHAIRMAN. The gentleman from Idaho offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment by Mr. SMITH of Idaho: After line 12 insert, on page 62: "That the Secretary of the Navy is hereby authorized and directed to have collected and preserved for distribution upon application to the public schools of the country, for preservation and display, the discarded flags and emblems of the United States used in the Navy, when they are no longer serviceable."

Mr. MANN. Mr. Chairman, I reserve a point of order on that.

Mr. PADGETT. Mr. Chairman, I make the point of order.

Mr. SMITH of Idaho. Will the gentleman from Tennessee reserve the point of order a moment?

Mr. PADGETT. I reserve it.

Mr. SMITH of Idaho. Mr. Chairman, under existing regulations the flags that are used in the Navy and also in the Army, when they become soiled to such an extent that they are no longer serviceable, are discarded, collected together, and destroyed. It seems to me that these flags, instead of being destroyed, should be distributed among the public schools throughout the country with a view of inculcating in the youth a spirit of patriotism, and where, I am sure, they would excite greater pride in our Nation's institutions and achievements. [Applause.]

There is no good reason why these flags and emblems should be destroyed, when in most instances they would be serviceable on a public-school building or used for decorative purposes in the schoolroom when no longer suitable, because of discoloration or wear, for use for official purposes. I trust my amendment may be accepted by the gentleman in charge of the bill and allow the House to vote upon it.

The CHAIRMAN. The Chair sustains the point of order, and the Clerk will read.

The Clerk read as follows:

That no part of any sum herein appropriated under "Increase of the Navy" shall be used for the payment of any clerical, drafting, inspection, or messenger service, or for the pay of any of the other classified force under the various bureaus of the Navy Department, Washington, D. C.

Mr. SEARS. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Florida moves to strike out the last word.

Mr. SEARS. I ask unanimous consent to address the House for 15 minutes.

The CHAIRMAN. The gentleman from Florida asks unanimous consent to address the House for 15 minutes. Is there objection?

Mr. MANN. Reserving the right to object, about what?

Mr. SEARS. About the present preparedness proposition; the preparedness of this country and other countries.

Mr. MANN. Would not the gentleman just as lief talk on the pension appropriation bill in general debate?

Mr. SEARS. I never have talked on the pension appropriation bill in general debate or on any other. As my remarks are on the naval bill, which we are now considering, I think now is the time to make them.

Mr. MANN. It will be taken up right away, as I understand. The general debate on the pension bill, I presume, will follow this bill right away.

Mr. SEARS. I will say to the gentleman from Illinois that it might affect some votes, although I fear not, on the present bill.

Mr. MANN. I know. It is general debate on the bill. I do not care about the 15 minutes. But if it is effective it is legitimate debate. We expected to finish this bill last Thursday, but we did not finish it then, nor did we finish it on Friday, nor on Saturday, nor yesterday. We may not finish it to-day at the present rate of progress.

Mr. SEARS. I will say to the gentleman from Illinois that I did not insist the other day on my time, because so many others seemed anxious to speak.

Mr. PADGETT. The Chairman has endeavored and labored and persuaded and tried to get the bill expedited, and has asked time and again to close debate, even going to the extent of moving to close debate. But if gentlemen have something they want to discuss, I do not want to oppose them.

The CHAIRMAN. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. SEARS. Mr. Chairman, with an appropriation of approximately \$371,000,000 now pending before the House, it seems to me that a request for 15 minutes is not unusual or extreme. I want to congratulate my colleague, the distinguished gentleman from Pennsylvania [Mr. Moore], for his remarks this morning, and I want to congratulate the minority leader for his

numerous statements to the effect that he trusted this country would not get into war.

The reason I have made this request, Mr. Chairman, is because recently from home I received a letter stating the people were excited and believed that in the next few days we would be in war. The second reason is because I have received from a constituent of mine the following letter:

From the daily newspapers we gather that a declaration of war with Germany is inevitable.

I only ask that that part of the letter be inserted. I also received from the chairman of the Democratic committee of Dade County a letter urging the Congress and the people to remain calm and not force this country into a needless war. I will ask, Mr. Chairman, that the letter be published as a part of my remarks.

Mr. EMERSON. Mr. Chairman, will the gentleman yield?

Mr. SEARS. Yes.

Mr. EMERSON. How do you expect to convert any votes if you do not read these letters to us? [Laughter.]

Mr. SEARS. The letters are not the main thing, but I will read the letter if the gentleman wants me to, although I am limited to 15 minutes.

Mr. EMERSON. You have 15 minutes in which to convert us.

Mr. SEARS. I will read the letter:

DADE COUNTY DEMOCRATIC EXECUTIVE COMMITTEE,
Miami, Fla., February 6, 1917.

Hon. W. J. SEARS,
Member of Congress, Washington, D. C.

DEAR SIR: The stirring events of the last day or so has moved me to write you the result of a partial canvass I have made around the streets of Miami, as to the sentiment regarding the break with Germany and possible war.

Out of 100 people I found 2 who were outspoken for hostilities; 3 who thought the President knew more about the matter than they did, but qualified it by saying that they could not understand why the Nation should be drawn into trouble by a very few people, who insisted on traveling on English and French ships and ships carrying contraband.

Please give the 95 per cent in Dade County your best thought; they have no quarrel with Germany or any other nation; they would be glad to be allowed to continue to prosper; they are ready to defend the United States, but not individuals who evidently are willing to have other people get in trouble for them and their convenience and pleasure.

Yours, truly,

C. D. LEFFLER, Chairman.

But, Mr. Chairman, the letters were not the main reason why I requested time to make these remarks. I have been asked several times if I was on the Committee on Naval Affairs, and when I said I was not, a look of astonishment appeared on the faces of my colleagues, apparently because I dared to delve into this great question that means so much to the people. For the study I have given it I have no apology to make, but I believe the time has come for some man—I had hoped that it would be a statesman of long years and experience—to stand on this floor and tell the American people the exact conditions as they exist and cease trying to frighten our people into believing we are not prepared.

In a report which I hold in my hand, dated January, from Secretary Daniels, I discover that in the English, French, Japanese, Austro-Hungarian, Italian, Russian, German, and Turkish Navies 352 battleships, cruisers, submarines, and so forth, have been destroyed or put out of commission. Of this entire number 284 have been sunk; 171 of these are English; 122 are German.

Mr. PADGETT. Those are not warships. They are commercial ships.

Mr. SEARS. Oh, no; they call them "battleships, submarines," and so forth. I do not know what they are. They say in this report "battleships." I read to you what the Secretary says. He says:

NAVY DEPARTMENT,
Washington, January 17, 1917.

Hon. L. P. PADGETT, M. C.
House of Representatives, Washington, D. C.

MY DEAR MR. PADGETT: In compliance with the request contained in your letter of January 4, 1917, I am forwarding a photostat copy of a compilation made by the Office of Naval Intelligence showing the men-of-war lost during the present war up to this year.

Additional losses have been reported from confidential sources, but can not, for obvious reasons, be given out at the present time.

Sincerely, yours,

JOSEPHUS DANIELS.

And yet, my friends, with the loss of these 352 battleships, I heard one of my colleagues the other day say the American Navy was not in a position to defend itself.

What are the facts? In 1914, the last comparison we can get, we find England stood first, Germany second, the United States third, France fourth, Japan fifth, and Russia sixth. I can not see how, when a nation has lost 171 of its fighting ships, when another nation has lost 122 of its fighting ships, while the Navy of this Nation, that has been at peace with the world, has lost no ships, and, as a matter of fact, has been building ships from 1914 to the present day, should have deteriorated faster than

the navies of those nations who are still engaged in war and were engaged in war prior to 1914, and have lost so many of their fighting vessels. I felt that the people of the country should know exactly how we stood along this line. In the list of English battleships sunk you find the *Irresistible*, of 15,000 tons; you find the *King Edward VII*, 16,350 tons; the *Audacious*, of 24,000 tons; the *Queen Mary*, and so on; and among the Germans you find the *Pommern* and the *Lützow* and others equally important. And yet an attempt has been made, and is being made daily, by the press to have the American people believe, intentionally or unintentionally, that they are more poorly prepared than they ever were before.

I am sorry I have to speak so fast, but I only have 15 minutes. It will be hard to convince the citizens of the United States we have deteriorated so fast when I remind them that for the Navy since 1913 appropriations by Congress have been made as follows:

1914 (63d Cong., 2d sess.)	\$145,503,963.48
1915 (63d Cong., 3d sess.)	149,763,563.45
1916 (64th Cong., 1st sess.)	312,888,060.25

Total 608,155,587.18

I desire to call your attention to the fact, in addition to the above, since 1884 our Government has spent \$1,710,706,720.91 in an effort to secure a Navy, and in addition to both of the above figures there is appropriated for the hull alone in this bill \$130,600,000. Why have we not secured a Navy? Some one should explain to the country the reason why so much money has been expended, and is being expended, and yet, if we believe the arguments of some, no results have been obtained. Some one should also explain why it is whenever a Navy bill comes before the House all kinds of war talk is engaged in, and every conceivable pressure is brought to bear upon Members of Congress in an effort to secure the passage of said large appropriations.

Mr. FESS. Will the gentleman yield?

Mr. SEARS. I will.

Mr. FESS. What proportion of the navy, of the countries which have suffered, has been disabled?

Mr. SEARS. I will answer the gentleman frankly that the figures can not be obtained, because they tell us the information can not be secured. But the chairman of this committee said the other day that it took England, even now, about two or two years and a half to construct a battleship.

Mr. PADGETT. That was under peace conditions.

Mr. FESS. Is it the gentleman's judgment that the five great powers have been substantially harmed by this amount of destruction?

Mr. SEARS. If I had lost 352 battleships, light cruisers, submarines, and so forth, I should think I had been substantially harmed. I believe the gentleman will admit that to be the case.

Mr. FESS. There are no such things as 352 battleships lost.

Mr. SEARS. I said battleships, light cruisers, submarines, torpedo boats, destroyers, and so forth. To be frank, I think England has lost eight battleships.

Mr. EAGLE. Out of 82.

Mr. SEARS. No; out of 64. According to the figures for 1914, the United States has 17 superdreadnaughts, the Japanese have 4. The United States has no battle cruisers, and the Japanese have 4. The United States has 22 battleships of the dreadnaught type, while the Japanese have only 12.

Mr. PADGETT. Twenty-two predreadnaughts.

Mr. SEARS. Twenty-two predreadnaughts, and the Japanese 12. We have 10 armored cruisers, they have 13. We have 14 cruisers, and they have 12, showing that we are better prepared than the Japanese. These are the figures for 1914. We can not get the information since that year. Yet in the face of this showing that we are better prepared than they are, the Japanese question is always raised in this country when some people want extra appropriations for the Navy.

Mr. HUMPHREY of Washington. Will the gentleman yield?

Mr. SEARS. In just a minute. We now have five battleships of the larger type under construction and four contracted for. Besides there are seven ships of the larger type that have been appropriated for but not yet contracted for, and yet in this bill we are asked to make the enormous appropriation of \$83,500,000 for battleships and cruisers—and this amount only pays for the hulls—that the chairman of the committee tells us can not, under present conditions, be completed within the next six or eight years.

Mr. PADGETT. Oh, no.

Mr. SEARS. In addition to the above, the cost of the four battle cruisers provided for at the last session is increased from \$16,500,000 to \$19,000,000 each, and scout cruisers from \$5,000,000 to \$6,000,000, a handsome profit for some one. And yet the House refused to place a time limit for the completion of any or all of

the above, and in fact voted down an amendment requiring that same should be completed within not exceeding 38 months; although the chairman has stated that England is completing similar ships in two and a half year or less, I submit no business man would enter into a contract without some similar limitation.

Now I will yield to the gentleman from Washington.

Mr. HUMPHREY of Washington. Speaking about the comparative strength of the Navy of this country and that of Japan, I want to call attention to the fact that while perhaps the gentleman's figures are correct—though I think he has left out about four battleships that Japan has recently constructed—

Mr. SEARS. You can not get the figures since 1914.

Mr. HUMPHREY of Washington. My information is that four battleships have recently been launched in Japan. Anyway, I want to call attention to the fact that so far as the Pacific coast is concerned we are practically defenseless. We have no battleship squadron over there, never have had, and there is no prospect that we ever will have.

Mr. SEARS. I can see no reason why some of our battleships are not on the Pacific, and I sincerely trust the gentleman is in error when he says "There is no prospect that we ever will have" any on the Pacific. If I can assist him, I will gladly do so.

I can not at this time go into the hundreds of merchant vessels that have been sunk, as my time will not permit.

Mr. CALLAWAY. I want to inject this statement: That according to the statements of the experts before our committee, if our fleet was five times as large as it is they would not spread it out all over the ocean, but would operate it together from the same base.

Mr. SEARS. I thank my colleague [Mr. CALLAWAY] for the information.

Mr. Chairman, as a small boy whenever I was scared I began to whistle to keep up my courage, and if I dared to look over my shoulder more than twice, regardless of whatever bravery I might have, my feet took me away from the spot as rapidly as I could go. And remembering this I want to say, unless some of the papers of this country cease trying to alarm and thus drive the American people into a panic-stricken condition, if we should go to war—God grant we never will—we can not win victories. And this certainly should not be done when the facts are to the contrary.

It is needless for me to remind the Members of this House of the result of the Mexican War, because history has written too well how that war came out. It is needless for me to remind you of the War of 1776, for again history records the result. Yet I say, without fear of successful contradiction, that no people were more unprepared than were those pioneer people of 1776. In 1812 Americans aimed with a true eye and shot with accuracy, and history again records the result of that war. In 1898, though Spain never sank the *Maine*, again history records the outcome of that war. In each and every one of these wars the Stars and Stripes were victorious. Yet we were not prepared then, and for some reason some would have you believe we are not prepared now. Mr. Chairman, I will not refer to 1861-1865. Permit me only to say that those years produced to this country Grant and Lee, and hundreds of others too numerous to name. Our country has given us a George Washington, an Abraham Lincoln, a Jeff Davis, and hundreds of others whose names are a glorious memory, and I for one will not believe that all of the blue blood that coursed through their veins has been exhausted. I for one refuse to believe that the young American manhood of to-day has degenerated until they are only a set of mollicoddles, who can be whipped by any nation on God's green earth. [Applause.] I sincerely trust that this country will remain at peace, I believe it will remain at peace, and I want to congratulate our President for keeping us out of war in the past. I firmly believe when he stands at the window and looks across the Potomac, and loses sight for the moment of the scare and inciting headlines, he will remember the people who indorsed him for another four years, and that he will continue to keep us out of war as long as he can do so with honor to this country. [Applause.] But as I said in my last campaign, Mr. Chairman, that my people might know how I stood, I would not be a Member of Congress who was invincible in time of peace, but invisible in times of war; and if it ever become necessary for me to vote for war, I told my constituents that I would offer my services along with them to fight for the flag that they, as well as myself, love so well. [Applause.]

Mr. Chairman, I will not discuss our present Secretary of the Navy. He needs no defense at my hands, and history will record him in his true light, a friend of the people and his country.

I am not opposed to a reasonable amount of preparedness, but I am opposed to this bill, because to my mind it is not in the interest of preparedness. I reach this conclusion, first, because the House refused to accept the time limit of 38 months for the completion of the vessels from the date same might be contracted for; in fact, they failed to put any time limit for the completion of said vessels. Second, I believe the present war has fully demonstrated that we need more submarines and not so many large battleships, and the House refused to accept an amendment with this end in view. There are other reasons why I am opposed to this bill, some of which were explained in my previous remarks, but I will not take time to go into those matters at present.

Mr. COOPER of Wisconsin was recognized.

Mr. PADGETT. How much time does the gentleman wish?

Mr. COOPER of Wisconsin. Five minutes will be ample.

Mr. PADGETT. Mr. Chairman, I ask unanimous consent that debate on this paragraph and amendments thereto close in five minutes.

The CHAIRMAN. The gentleman from Tennessee asks unanimous consent that all debate on the paragraph and amendments thereto close in five minutes. Is there objection?

There was no objection.

Mr. COOPER of Wisconsin. Mr. Chairman, the gentleman from Florida [Mr. SEARS], who has just taken his seat, spoke somewhat carelessly, I thought, about the possibility of our country becoming a party to the great war across the sea. In expressing his willingness to enter the war, the gentleman did not seem to me really to appreciate what his statement means. But the London Times understands what it means for this Nation to be to-day in the situation in which the President has placed it by severing diplomatic relations with Germany. Let me ask the attention of the gentleman from Florida to an excerpt from an editorial in that paper.

Mr. SEARS. Will the gentleman yield?

Mr. COOPER of Wisconsin. I can not yield in the five minutes allowed me. In the London Times appeared this solemn and significant editorial statement:

"The act of President Wilson is an event of measureless importance in the history of mankind. Whatever the immediate consequences of the breach, a new chapter is opened for the New World and the Old. For the first time since it became a great power the United States has directly intervened in a European war—a course pregnant with untold results hereafter."

Mark those words—"a course pregnant with untold results hereafter."

If we become a party to the war, are we to take part in the terms of settlement when the bloody cataclysm has ended? The President, in his address to the Senate before the severance of diplomatic relations, said that we, of course, would have nothing to do with the terms of settlement; but, according to the London Times, and if we are to help fight out this war, will we not have something to do with them? After we have fought, after soldiers whom we send across the sea have been killed, after our ships have been sunk and our sailors drowned, are we to join in the company around the table when the final settlement comes?

Who owns the London Times? Lord Northcliffe, whom I heard the distinguished gentleman from Pennsylvania [Mr. MOORE] mention as I entered the Chamber this morning. And this reminds me, Mr. Chairman, that in the New Republic there recently appeared an article—"The problem of Northcliffe"—by Norman Angell, an English publicist and editor of distinction, in which he calls attention to the fact that Lord Northcliffe, or the trust of which he is the head, owns and controls 60 newspapers, magazines, and periodicals in England alone. And I have been told by a newspaper editor of wide information, and one in whose word I have confidence, that Lord Northcliffe has a controlling financial interest in a leading paper in Holland, from which we see editorial excerpts reprinted almost every day in this country, and that he has also a controlling interest in the Novoe Vremya, the chief daily newspaper in Petrograd, Russia.

I have only time remaining to read again the grave comment of the London Times:

"For the first time since it became a great power, the United States has directly intervened in a European war—a course pregnant with untold results hereafter." [Applause.]

The CHAIRMAN. The time of the gentleman has expired.

The Clerk read as follows:

That no part of any sum appropriated by this act shall be used for any expense of the Navy Department at Washington, D. C., unless specific authority is given by law for such expenditure.

Mr. PADGETT. Mr. Chairman, I offer the following amendment, which, by order of the committee, I was to do when we returned to page 5.

The Clerk read as follows:

Amendment offered by Mr. PADGETT: Page 5, after line 7, insert as a separate paragraph:

"To enable the Secretary of War and the Secretary of the Navy to secure, by purchase, condemnation, donation, or otherwise, such basic patent or patents as they may consider necessary to the manufacture and development of aircraft in the United States and its dependencies for governmental and civil purposes under such regulations as the Secretary of War and the Secretary of the Navy may prescribe, \$1,000,000: *Provided*, That such arrangements may be made in relation to the purchase of any basic patent connected with the manufacture and development of aircraft in the United States as in the judgment of the Secretary of War and the Secretary of the Navy will be of the greatest advantage to the Government and to the development of the industry: *Provided further*, That in the event there shall be pending in court litigation involving the validity of said patent or patents bond, with good and approved security in an amount sufficient to indemnify the United States, shall be required, payable to the United States, conditioned to repay to the United States the amount paid for said patent or patents in the event said patent or patents are finally adjudged invalid."

Mr. MANN. Mr. Chairman, I would like to ask the gentleman from Tennessee a question. This amendment authorizes the condemnation of the basic aircraft patents for governmental and civil purposes. What is meant by the term "civil purposes"?

Mr. PADGETT. For use of the public under such regulations as Congress may see fit to authorize when the Government becomes the owner.

Mr. MANN. Does the gentleman think that the Government can condemn property in order to give it to the public, and not use it for governmental purposes?

Mr. PADGETT. I think the Government can condemn it and acquire the ownership for public use; that it is not limited to the Government use after the Government becomes the owner of it. It is not restricted to the Government in using it exclusively for itself.

Mr. MANN. That has nothing to do with the question. When we condemn property the Government has to show its right to commence condemnation proceedings. Can the Government condemn property except for Government uses?

Mr. PADGETT. I think not, except for public uses. I think it could condemn property for a public use.

Mr. MANN. What kind of a public use?

Mr. PADGETT. Well, like the condemnation of land for a railway.

Mr. MANN. Railways are governmental uses. What right has the Government to condemn property for civil purposes, not meaning governmental uses at all?

Mr. PADGETT. The Government can condemn it for public use, and when it becomes the owner it can permit the public to use it upon such terms as it sees proper to authorize through legislation.

Mr. MANN. Does the gentleman think it can condemn property for the purpose of giving it to the gentleman from Tennessee, wholly apart for governmental use?

Mr. PADGETT. The Government can condemn it if it has any use for the public, and through legislation can authorize it to be used by the public.

Mr. MANN. I do not know what the courts will hold, but certainly no court has ever held that the Government could condemn property except for the use by the Government for public purposes.

Mr. PADGETT. There can be a public civil use, which is illustrated in condemning land for railroads and the condemnation for rights of way and public parks. They are uses by the civil population.

Mr. MANN. That is entirely apart from this question.

Mr. PADGETT. They occur to me as good illustrations.

Mr. MANN. The purpose here is, as indicated by the report of the Secretary of the Navy, to condemn the basic patents in order to give the people the use of them.

Mr. PADGETT. No; not to give it to them, but, if they condemn it, the United States would be the owner just as any individual would be the owner, and the control of that ownership would be vested in the Government.

Mr. MANN. I am directing the gentleman's attention to the language in the amendment. My judgment is that it renders doubtful the right of the Government to condemn it at all by including this language, "for civil purposes."

Mr. PADGETT. Perhaps it is not necessary to have that in there, and if it casts any doubt upon it, it would not interfere with anything to strike out "for civil purposes."

The CHAIRMAN. The time of the gentleman from Illinois has expired.

Mr. MANN. Mr. Chairman, I ask unanimous consent to proceed for five minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. MANN. The last proviso is that if the basic patents are in dispute, and they are in dispute, I believe, the Government shall require the owners of the patents to furnish a bond to the United States to protect the United States. How can you condemn property, and then after having condemned it require the owner to give you a bond before he turns it over to you?

Mr. PADGETT. That can not be done, but we were assured in the hearings by Dr. Walcott, who had been negotiating with these people, that it could be consummated by negotiations.

Mr. MANN. But here is the point that I am getting at, so that the gentleman will understand. It is perfectly patent to me, though I may not be correct, that you can not buy this property for a million dollars by private contract. What it will cost in the end I do not know, but when you go to condemn property you have to have legislation that permits the condemnation proceedings to be carried on, and if you provide as a basis of your right to condemn property something you can not do, that is a defense to your condemnation proceeding which will defeat it.

Mr. PADGETT. Dr. Walcott stated that with the negotiations that have taken place with the present owners of the patents—the Wrights have transferred all of their ownership to a corporation—it has been indicated that the whole right to the patent could be secured for not exceeding \$1,000,000, and perhaps for less than that, and they were expecting to secure it by negotiations, and that the bond matter was suggested by him.

Mr. STAFFORD. Mr. Chairman, by this provision we are launching the Government for the first time in its history into an untried sea of adventure. If we adopt this policy to-day, I fear we shall be called upon frequently in the future to take similar action. Whenever the patentee of some device which is needed by the Government asks a reasonable royalty for its use, the Government officials will come to Congress and ask for a large appropriation with which to purchase the rights to the patent. What are the facts in the case? It is admitted that this patent is disputed in the courts and that for many months, if not many years, there have been pending in the district court of the United States in the city of New York a suit brought by and on behalf of the original owners, the Wrights, against the Curtiss Co. for an infringement by the Curtiss Co. of the basic patents. These are sought to be purchased by the Government or condemned by the Government under the amendment under consideration. It has been testified to, and it has not been disputed, that whenever that case comes to trial the owners of the patent ask to have the hearing deferred. They virtually, by their action in court, admit that they have questionable ground on which to base their claim to a patent.

Mr. PADGETT. The case has been tried in the lower court, and the lower court decided in favor of the validity of the patent and against the Curtiss people, the defendants. There was an appeal taken by the Curtiss people, and that appeal is pending.

Mr. STAFFORD. Will the gentleman deny that whenever that appeal has been brought up for consideration it has been deferred, and why? Because the claimants to the patent presumably have little faith whatever in their claim. Even Dr. Walcott, who was the original promoter of this provision—and he only conceived it since the recent unsettled condition in the country due to the break in diplomatic relations with Germany—admits that there is grave doubt whether there is any virtue whatever in this basic patent, because it is claimed that it is not original, and that the feature of novelty is lacking in the Wright patents. The Wrights have recently sold their patent rights to a company known as the Wright-Martin Co. for over a million dollars, and that company is capitalized for \$5,000,000. The gentleman from Tennessee is entirely in error, and it is borne out by the hearings before the committee—and I have read them all, otherwise I would not make the statement so positively—in his statement that the present owners of the so-called Wright patents refused to sell the patent rights to the Government for such use as it wished for governmental and private purposes for \$1,000,000. They are willing to allow the Government to use the patents for a million dollars and to have private contractors pay royalties for their use.

What is the exigency that demands the purchase by the Government of these patents? In the hearings before the gentleman's own committee—and I call his attention to that fact, because perhaps he may not have that matter so clearly in

mind—when Capt. McKean, the head of the Aviation Service, was before the committee, he testified as to the ease with which he could obtain these airships. He said, at page 483:

Some of them are coming pretty fast. We are getting certain types now pretty fast.

In all the hearings before the Committee on Naval Affairs and before the Military Affairs Committee, which run into numerous pages, there is not one line of testimony to show that the Government has had any difficulty whatever in obtaining these airships for the use of the Navy or the Army.

Mr. FARR. Mr. Chairman, will the gentleman yield?

Mr. STAFFORD. Yes.

Mr. FARR. Does not Capt. McKean say that we are getting them as fast as one a month?

Mr. STAFFORD. Oh, no.

Mr. FARR. Yes; he does.

Mr. STAFFORD. I will ask the gentleman to point that out.

Mr. FARR. It is in the testimony.

Mr. STAFFORD. I am pointing out that he said that some of them are coming pretty fast and that they were getting certain types pretty fast now. Neither Capt. Squier, who is the head of the Aviation Service, connected with the Army, nor Capt. McKean, who is in charge of this service, connected with the Navy, made any complaint whatever as to the difficulty in obtaining these airships for the Government. I go further. Even Dr. Walcott, when he testified in January in the regular hearings before the Naval Affairs Committee, did not complain about the difficulty of getting the airships for the use of the Navy.

The CHAIRMAN. The time of the gentleman from Wisconsin has expired.

Mr. STAFFORD. Mr. Chairman, I ask unanimous consent to proceed for five minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. STAFFORD. What did the patentees ask from the Government? Not an exorbitant sum. They asked for a royalty of only 5 per cent. Anyone can see that that is not an exorbitant sum.

Mr. PADGETT. Will the gentleman yield at that point?

Mr. STAFFORD. I will yield.

Mr. PADGETT. Dr. Walcott says it is generally recognized among the profession that 2 per cent is a large royalty instead of 5 being a reasonable royalty.

Mr. STAFFORD. If anyone will read the testimony of Dr. Walcott before the committee he will come to the conclusion, with all due deference to Dr. Walcott, who is an eminent scientist, but not a business man, that he had little information as to the willingness of the owners to transfer the patent rights to the Government. The advisory committee on aeronautics, of which he is the head, that considered this question, comprises nothing but scientists, men connected with educational institutions, and there is not one business man connected with it.

The question before the committee in the adoption of this amendment is purely a business one. We have a right as a Government under the act passed in 1906 to appropriate for the use of the Government any patent and use it for governmental purposes and compensate the patentee in the Court of Claims a reasonable allowance for the use of that patent. We have provided here that in case of war or other exigency in the determination of the President he may commandeer the private yards for the use of the Government. If there is an exigency arising in reference to our present strained relations with Germany the President can commandeer any private establishment and can direct—

Mr. FARR. Will the gentleman yield?

Mr. STAFFORD. Not in the middle of a sentence. He can direct their use for the making of these airships and can use any patent or device whatever in the use of them, and then the patentee can have the right to go to the Court of Claims and have the damages assessed, and in that suit the Government has the right to set up as a defense any ground of infringement or validity of the patent. I respectfully submit to the committee we should not launch into this untried experiment. There is no occasion for it. In case the Government was in need of airships that could not be obtained by private employment, that would be one thing, but there is no showing whatsoever in the hearings before the Committee on Naval Affairs or in the hearings before the Committee on Military Affairs of any difficulty of getting these airships in such quantities as are needed. The only argument of Dr. Walcott is this—

Mr. FARR. Will the gentleman yield when he has finished the sentence?

Mr. STAFFORD. I will yield before proceeding on this line of thought.

Mr. FARR. The evidence was this: That with a tremendous need for airships, with all the facilities we have in this country we can not build more than 100 to 125 a month.

Mr. STAFFORD. Well, if anyone has studied the situation as to the needs of the Government, both of the Army and the Navy, he will agree that 100 to 125 is more than the Government needs.

Mr. FARR. No; a thousand we need.

Mr. STAFFORD. Mr. Chairman, I decline to yield any further at this moment. The reason advanced by Dr. Walcott that the Government purchase these is not that the Government needs them in obtaining additional airships, but we should come to the relief of owners or prospective inventors of improvements on the basic patents, so that the industry may be developed. There is a concern in Boston, backed by some money, that can not go ahead or is unwilling to go ahead with the payment of this royalty to the present owners of the Wright patents. The terms that the present owners of the Wright patent insist upon when it is used by another are that a payment of \$10,000 on the base of a royalty of 5 per cent on the valuation of output, and anything above that output they would pay a royalty of 5 per cent—

The CHAIRMAN. The time of the gentleman has again expired.

Mr. STAFFORD. Mr. Chairman, I ask unanimous consent to proceed for two minutes more.

The CHAIRMAN. Is there objection to the request of the gentleman from Wisconsin? [After a pause.] The Chair hears none.

Mr. ROBERTS of Massachusetts. Will the gentleman yield for a moment—the gentleman wants to have the facts clearly before the committee?

Mr. STAFFORD. I do.

Mr. ROBERTS of Massachusetts. The evidence before the Committee on Naval Affairs was that the Wright-Martin Co. insist upon a payment of \$10,000 cash and 5 per cent on all the sales up to \$200,000 a year. Those are the royalty terms being insisted upon by the Wright-Martin Co. that control the basic patents on flying machines.

Mr. STAFFORD. As I read the testimony, they require \$10,000 as a condition precedent to the use of the patents—

Mr. ROBERTS of Massachusetts. Ten thousand dollars a year?

Mr. STAFFORD. Ten thousand dollars a year.

Mr. ROBERTS of Massachusetts. And 5 per cent on sales above \$200,000?

Mr. STAFFORD. And if they manufacture devices above a valuation of \$200,000 they are to pay in excess of that 5 per cent. It is a question whether at this time we should purchase a doubtful patent for a million dollars. We certainly have no right to take the patent for private use. We have already provided in the commandeering section the power to appropriate these patents, and there is the law of 1906 that enables the patentee to recover only the reasonable value for the use of the patent in the Court of Claims.

Mr. TALBOTT. It may be a doubtful patent, and if we acquire a doubtful patent and it is declared to be invalid we lose something.

Mr. STAFFORD. There is nothing to be gained by the Government, looking only from a governmental standpoint. If we adopt this policy now, then as to every invention involving, for example, a submarine, a gun, or a basic patent of any kind, we will be called upon perchance by some advisory committee to appropriate an amount of money the patentee may see fit to ask of us, for the reason, as advanced in this instance, that the industry will thereby be developed.

Mr. BURNETT. I would like to know if this Aero Club that has been inflicting so much of its literature on the Members of Congress is in this business.

Mr. STAFFORD. In the testimony of Dr. Walcott before the Naval Affairs Committee—and this afterthought of his was since strained diplomatic relations have arisen—he stated it was but the opinion of the Advisory Committee on Aeronautics, which, as I said, is composed only of college professors. It is a scheme to aid some private concerns who own patents for improvements on the basic patent, so that they will be relieved of paying a royalty.

Mr. MANN. Mr. Chairman, I move to strike out the last two words.

Mr. Chairman, aircraft, heavier-than-air flying machines, were really originated by Dr. S. P. Langley when he was Secretary of the Smithsonian Institution. He did his work and made his investigations and experiments largely out of a fund which we had appropriated to the Army and which was applied by them through Dr. Langley for this purpose. He probably would have

made a complete success except for the fact that the House at one time, as I remember, put a provision in the appropriation bill forbidding the use of the appropriation to the Army for this purpose. But he did make a flying machine which flew. The Wright brothers, to whom the country is under great obligations for the brilliant success which they made in putting the flying machine into use, took the ideas of Dr. Langley, and when the matter came into litigation subsequently the old flying machine which Dr. Langley flew was resurrected and put in a state of preservation in the Smithsonian Institution. I do not know how far that flying machine was used in the contest over the patent, but I assume that it was put in evidence in the suit which the Wright brothers had against the Curtiss Co.—I am not sure about the name, though I think I am right—as to the basic patent. My understanding is that that litigation is not finally disposed of. I have had the impression, although I may be entirely wrong about that, that the Wright brothers and the Curtiss Co. had reached or were about to reach a working agreement. It may be desirable for the Government to have the right to let anybody manufacture a flying machine under contract to sell it to the Government, or under a contract with the Government. I am inclined to think that is desirable. And it may be that the amendment offered now will accomplish that purpose.

I am inclined to think that in the end the Wright brothers' patent will not be held valid as to the basic patent if it is finally adjudicated in court. The Wright brothers' patent at the best runs out in six years. I suppose it is true that during the next six years, with the condition of mind that now exists in the country, and I fear is likely to continue, we will have a great many flying machines constructed for or by the Government of the United States. And I am inclined to join in that feeling, though I am not as hysterical as some gentlemen are about it. It is unfortunate that the Government of the United States when it grants a patent on an article to be used mainly by the Government, or which may be useful for the Government as a matter of defensive or offensive action, does not retain the right to use the patent either without compensation or by paying a reasonable compensation for its use. [Applause.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. DAVIS of Texas. Mr. Chairman, I will not undertake to discuss this question as an expert, but I have given it considerable thought. The aeroplane, or flying machine, evidently is an important factor in all modern warfare and warfare in the future. If a set of individuals control a lot of basic patents all the development of that institution will be controlled by the men who control those basic patents. I call to mind that the Singer Sewing Machine Co., I think, drew a royalty from every other sewing-machine company on earth, because no matter how much improvement they made they still had to use a needle with an eye in the point, and therefore the entire sewing-machine industry of the world was controlled by the man who held a patent, which was that of an eye in the point of a needle. Now, the same condition relates to these inventions, and if the Government paid a million dollars to open these flying machines to public thought, public ingenuity, and allowed this industry to be developed without extortionate royalties, and the public get the benefit of it, I am one of those who believe we had better cut off one or two big battleships and invest the money that way, for it is far more material as a means of defense. I am one of those who believe that the day will come when our aeronautic stations will be dotted all along our coast line, and a survey and a scouting expedition will be made a thousand miles over the ocean to locate an enemy and ascertain how to kill him off if he ever undertakes to land in this country. I say that this necessity is vital, and I want it to go through. [Applause.]

The CHAIRMAN. The question is on agreeing to the amendment.

Mr. PADGETT. Mr. Chairman, I desire to just put in the RECORD the form of applications, requirements, and exactions in order to enable a private manufacturer to manufacture aeroplanes.

The CHAIRMAN. The gentleman from Tennessee asks unanimous consent to insert certain documents in the RECORD. Is there objection? [After a pause.] The Chair hears none.

The following are the documents referred to:

THE SECRETARY OF THE NAVY,
Washington, February 9, 1917.

HON. LEMUEL P. PADGETT,
Chairman Committee on Naval Affairs,
House of Representatives.

MY DEAR MR. CHAIRMAN: On the 6th instant I transmitted to your committee certain recommendations of the National Advisory Committee for Aeronautics, which have been approved by the President, Secretary of War, and Secretary of the Navy, and also a statement containing extracts from some letters received from manufacturers of aircraft in response to an inquiry from the executive committee of the Advisory Committee for Aeronautics of the effect upon aircraft patent litigation.

I attach hereto a copy of the application for license and form of agreement of the Wright-Martin Aircraft Corporation, which may also be of service to you in consideration of the suggestions transmitted in my letter of the 6th.

Sincerely, yours,

JOSEPHUS DANIELS.

APPENDIX B.

APPLICATION FOR LICENSE AND FORM OF AGREEMENT OF THE WRIGHT-MARTIN AIRCRAFT CORPORATION.

DEAR SIR: The title to the basic Wright patent on aeroplanes has just been acquired by Wright-Martin Aircraft Corporation. This corporation believes that it is for the best interests of aeronautics that all responsible makers of aeroplanes should be free to conduct their business without danger of suit under this patent. Accordingly a standard form of license agreement has been drawn up, a copy of which is inclosed. It is our intention to grant a license in this form to any corporation that desires to undertake the obligations of the agreement. In regard to corporations that have in the past manufactured aeroplanes in infringement of this patent, we plan to waive all claims for past damages or profits upon making a payment as outlined in the inclosed application.

If you desire to acquire a license, please read the inclosed papers and return the application and license to us properly executed, together with your check. Royalties that accrue during the balance of this year may be treated as though accruing during January, 1917.

To the manufacturers and corporations whom we accept as licensees under this patent we give the benefit of national publicity carried on by us. This means that everyone interested will thoroughly understand that machines built under this patent employ the universally adopted and basic principles of control for aeroplanes—the Wright patent—which has been sustained. Its new owners do not intend to allow it to be disregarded.

Yours, very truly,

WRIGHT-MARTIN AIRCRAFT CORPORATION,
By EDWARD M. HAGAR, President.

APPLICATION FOR LICENSE.

The _____, a corporation of _____, hereby applies to Wright-Martin Aircraft Corporation for a license under Wright patent No. 821,393 of May 22, 1906.

In connection with this application the applicant submits herewith an executed and acknowledged copy of the license agreement into which it desires to enter a sworn statement setting forth in detail the gross receipts of applicant in the aeronautical business since January 1, 1916, and a check for \$10,000 plus 5 per cent of the amount of such gross receipts. (For aeroplanes sold substantially complete except for motors and motor accessories 10 per cent is included.) It is understood that Wright-Martin Aircraft Corporation will within 30 days from the receipt hereof either accept this offer by sending to applicant a duplicate of such license agreement, duly executed and acknowledge by its authorized officers, or will return to applicant this statement and the check sent herewith.

By _____,

STATEMENT.

I, _____, as _____ of and on behalf of _____, hereby represent to Wright-Martin Aircraft Corporation that the following is a complete statement showing the gross receipts made since January 1, 1916, in the aeronautical business, by the corporation, on behalf of which this statement is made, and I understand that the representations contained herein are material representations made to induce said Wright-Martin Aircraft Corporation to grant to the corporation, on behalf of which the statement is made, a license under Wright patent No. 821,393, dated May 22, 1906. In order that such statement may be verified, I, on behalf of the corporation for which this statement is made, hereby authorize Wright-Martin Aircraft Corporation, by its duly authorized agent, to inspect the books of account of such corporation and its subsidiary corporations engaged in the aeronautical business at any time within 30 days of the receipt of this statement by the Wright-Martin Aircraft Corporation.

TABLE OF GROSS RECEIPTS.

Company, _____ Co.:	
Aeroplane and hydroaeroplane sales (with power plant) _____	
Motor sales _____	
Aeroplane and hydroaeroplane part sales _____	
Motor part sales _____	
Repair sales _____	
Accessory sales (instruments, etc.) _____	
Miscellaneous sales _____	
Aviation school tuition _____	
Miscellaneous income aviation school _____	
Aviation exhibitions _____	
Total _____	
5 per cent of total _____	
Aeroplane and hydroaeroplane sales (without power plant) _____	
10 per cent of total _____	
Total _____	
Subsidiary company "A" _____ Co.:	
Aeroplane and hydroaeroplane sales (with power plant) _____	
Motor sales _____	
Aeroplane and hydroaeroplane part sales _____	
Motor part sales _____	
Repair sales _____	
Accessory sales (instruments, etc.) _____	
Miscellaneous sales _____	
Aviation school tuition _____	
Miscellaneous income aviation school _____	
Aviation exhibitions _____	
Total _____	
5 per cent of total _____	
Aeroplane and hydroaeroplane sales (without power plant) _____	
10 per cent of total _____	
Total _____	

Subsidiary company "B," _____ Co.:	
Aeroplane and hydroaeroplane sales (with power plant) _____	
Motor sales _____	
Aeroplane and hydroaeroplane part sales _____	
Motor part sales _____	
Repair sales _____	
Accessory sales (instruments, etc.) _____	
Miscellaneous sales _____	
Aviation school tuition _____	
Miscellaneous income aviation school _____	
Aviation exhibitions _____	
Total _____	
5 per cent of total _____	
Aeroplane and hydroaeroplane sales (without power plant) _____	
10 per cent of total _____	
Total _____	

SYNOPSIS OF GROSS RECEIPTS.

Company	Sales.	Royalty.
Subsidiary company "A" _____		
Subsidiary company "B" _____		
Total _____		
On behalf of _____		

STATE OF _____,
County _____, ss:

_____, being duly sworn, deposes and says: I am the _____ of the corporation, on behalf of which the foregoing statement is made, and am familiar with its business. I have read the foregoing statement and know the contents thereof, and that the same is true to the best of my knowledge and belief, and I further state that I have the power to authorize the inspection of the books of such corporation and its subsidiaries as granted in said statement.

Sworn to before me this _____ day of _____, 191____.

Notary Public.

Agreement made this _____ day of _____, 191____, between Wright-Martin Aircraft Corporation, a corporation of New York, hereinafter termed the "licensor" and _____, a corporation of _____, hereinafter termed the "licensee."

Whereas the licensor is the owner of United States Letters Patent No. 821,393, issued on May 22, 1906, to Orville and Wilbur Wright, for flying machines, and the licensee is desirous of obtaining a license thereunder:

Now, therefore, it is agreed as follows:

1. The licensor grants to the licensee a nonexclusive license to make, sell, and use flying machines embodying the inventions described in said letters patent, together with parts thereof, throughout the United States and its Territories and dependencies, and to make or sell such flying machines and parts thereof within the United States and its Territories and dependencies for use or sale abroad.

2. The licensee admits that said letters patent are good and valid in law and cover all types of heavier-than-air flying machines having one or more supporting planes in which it is possible to vary the lifting power of one wing in relation to the lifting power of the other wing through the medium of wing warping or by the use of one or more ailerons or by any other means.

3. The licensor hereby releases the licensee from all claims for past infringement of said patent.

4. In consideration of the foregoing license, the licensee agrees that it will pay to the licensor for the terms of said license 5 per cent of the gross receipts of the licensee or any subsidiary or controlled selling corporation, received in connection with the manufacture, use, or sale of said heavier-than-air flying machines, such gross receipts to include among other things all sums received for the sale of complete aeroplanes equipped with motors, or parts of aeroplanes, aeroplane engines, instruments used on aeroplanes, or other accessories, together with receipts from aviation exhibitions or aviation schools conducted by the licensee, but it is particularly understood that if the licensee shall sell aeroplanes substantially complete except for the motor and motor accessories, the license fee for such aeroplanes only shall be 10 per cent of the gross receipts therefrom. It is further provided that from all such gross receipts there may be deducted the amount of any invoices for aeroplanes, engines, parts, or accessories purchased from the licensor. The licensee further agrees that for the term of this license it will pay to the licensor a minimum royalty at the rate of not less than \$10,000 per year. Such minimum royalties shall be payable as provided in paragraphs 5 and 8 hereof.

5. To insure the payments of royalties hereunder, the licensee agrees that on or before the 1st day of January of each year throughout the term of this license it will pay to the licensor the minimum royalty above specified for the ensuing year (except that on January 1, 1923, the sum shall be five-twelfths of such sum.) Such minimum payment shall forthwith become the property of the licensor, but in the event that the actual royalties upon the business in any year, based on the gross receipts of the licensee in accordance with paragraph 4 hereof, are less than the said sum of \$10,000, the licensee shall be credited with such difference, to be applied to the payment of future royalties, in the event that for the business in any year or years thereafter the royalties under this license are in excess of said minimum sum of \$10,000.

The licensee further agrees that on the 10th day of each April, July, October, and January during the terms of this license, it will render to the licensor sworn statements showing its gross receipts in the aeronautical business as defined in paragraph 3 hereof for the preceding quarter year. When any such statement shows that the royalties accrued for that portion of the calendar year for which the statement is rendered are in excess of the minimum sum paid in advance for that year, the licensee agrees that at the time it renders such statement to the licensor it will pay to the licensor the amount of such excess, and that in rendering statements for the business done in the balance of that year it will pay the royalty accrued without any deduction.

6. The licensee agrees to keep full and complete books of account concerning its aeronautical business as defined in paragraph 4 hereof, and to allow the duly accredited agent of the licensor to inspect such books at all reasonable business hours.

7. The licensee agrees that it will attach to each flying machine it sells under this license a name plate bearing the licensee's name, a serial number, and the statement "Licensed under United States Patent No. 821393 of May 22, 1906."

8. This license shall remain in force until the 23d day of May, 1923, but it is particularly provided that if the licensee shall fail to pay the royalties provided for in paragraph 4 hereof, or to render the statements and make the payments provided for in paragraphs 4 and 5 hereof, the licensor shall have the option (a) of cancelling this license by giving the licensee 30 days' notice in writing of its intention so to do, unless the breach complained of is remedied within said 30-day period, or (b) of electing that the minimum royalties provided for hereunder for all of the remaining years of the license are forthwith due and payable to the licensor without discount. The election by the licensor of either of the foregoing remedies shall not deprive the licensor of the right to recover any sums due under this agreement.

9. Upon the termination of this license for any cause the licensee agrees to make to the licensor a sworn statement such as is provided for in paragraph 4 hereof, which shall not only include the gross receipts for the licensee's aeronautical business but likewise an inventory of all complete or partially completed articles, which if they had been sold would have been the basis for royalty under this agreement, and the licensee agrees to pay royalty on the market value of all such complete or partially completed articles.

10. Nothing in this license shall be construed as granting to the licensee any rights under any other patent owned or controlled by the licensor, and the licensee particularly agrees that it will not use the name "Wright" in connection with flying machines.

11. The licensor agrees that if it grants licenses on terms other than those upon which this license is granted (except for the terms on which releases are granted for claims for past infringement), it will notify the licensee and permit it, at its option, to accept such other form of license in place of this one.

12. This agreement shall be binding upon and inure to the benefit of the parties hereto and their successors, legal representatives, and assigns, but the license herein granted shall not be divisible and shall be assignable only with the entire business and good will of the licensee.

In witness whereof the parties have caused this instrument to be executed by their officers thereunto duly authorized.

By WRIGHT-MARTIN AIRCRAFT CORPORATION,
_____, President.

Attest: _____, Secretary.

By _____, President.

Attest: _____, Secretary.

STATE OF NEW YORK,
County of New York, ss:

On this _____ day of _____, 191____, before me, a notary public, personally appeared Edward M. Hagar and James G. Dudley, to me known, who being by me severally duly sworn, did depose and say that they are respectively the president and secretary of Wright-Martin Aircraft Corporation, one of the corporations described in and which executed the foregoing license agreement, that they know the seal of said corporation, that the seal affixed to said agreement is the seal of said corporation, and that they affixed such seal and signed their names to said agreement by virtue of authority vested in them by the board of directors of said corporation.

_____, Notary Public.

STATE OF _____,
County of _____, ss:

On this _____ day of _____, 191____, before me, a notary public, personally appeared _____ and _____, to me known, who being by me severally duly sworn, did depose and say that they are respectively the president and secretary of _____, one of the corporations described in and which executed the foregoing license agreement, that they know the seal of said corporation, that the seal affixed to said agreement is the seal of said corporation, and that they affixed such seal and signed their names to said agreement by virtue of authority vested in them by the board of directors of said corporation.

_____, Notary Public.

The CHAIRMAN. The question is on agreeing to the amendment.

The question was taken, and the amendment was agreed to.

Mr. PADGETT. Mr. Chairman, I move that the committee do now rise and report the bill to the House with sundry amendments, with the recommendation that the amendments be agreed to and the bill as amended do pass.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. PAGE of North Carolina, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 20632, the naval appropriation bill, and had instructed him to report the same back to the House with sundry amendments, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

The SPEAKER. The Chairman of the Committee of the Whole House on the state of the Union reports that that committee has had under consideration the naval appropriation bill, and directs him to report it back with sundry amendments, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

Mr. PADGETT. Mr. Speaker, I move the previous question on the bill and all amendments thereto to final passage.

The SPEAKER. The gentleman from Tennessee moves the previous question on the bill and all amendments thereto to final passage. The question is on agreeing to that motion.

The previous question was ordered.

The SPEAKER. Is a separate vote demanded on any amendment? If not, the Chair will put the amendments in gross. The question is on agreeing to the amendments.

The amendments were agreed to.

Mr. MANN. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. Hicks] be excused indefinitely, on account of serious illness.

The SPEAKER. The gentleman from Illinois [Mr. MANN] asks unanimous consent that the gentleman from New York [Mr. Hicks] be excused indefinitely, on account of serious illness. Is there objection?

There was no objection.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

Mr. OLIVER. Mr. Speaker, I offer a motion to recommit.

The SPEAKER. The gentleman will send it up. The Clerk will report it.

The Clerk read as follows:

Mr. OLIVER moves to recommit H. R. 20632 to the Committee on Naval Affairs with instructions to report the same forthwith to the House with the following amendments:

"Strike out all appropriations for 2 of the 3 battleships now carried in the bill and insert in lieu thereof appropriations for the construction of 30 destroyers instead of 15 and for 30 submarines instead of 18, the type and cost of such additional destroyers and submarines to be the same as those now carried in the bill."

Mr. PADGETT. Mr. Speaker, I move the previous question on the motion to recommit.

The SPEAKER. The gentleman from Tennessee moves the previous question on the motion to recommit.

The previous question was ordered.

The SPEAKER. The question is on the motion to recommit. The question was taken, and the Speaker announced that the yeas seemed to have it.

Mr. HUDDLESTON. Mr. Speaker, I demand a division, and, pending that, I make the point that there is no quorum present.

The SPEAKER. The gentleman from Alabama demands a division and makes the point that there is no quorum present. The Chair will count. [After counting.] Two hundred and thirty-two gentlemen have risen—

Mr. HUDDLESTON. Mr. Speaker, I withdraw the demand for a division and demand the yeas and nays.

The SPEAKER. The gentleman from Alabama withdraws his demand for a division and demands the yeas and nays. Those who favor taking this vote by the yeas and nays will rise and stand until they are counted. [After counting.] Thirty-three gentlemen have risen in the affirmative—not a sufficient number—and the yeas and nays are denied. The motion to recommit is lost. The question is on the passage of the bill.

Mr. MANN. On that I ask for the yeas and nays.

The SPEAKER. The gentleman from Illinois demands the yeas and nays on the passage of the bill. Those in favor of taking the vote by yeas and nays will rise and stand until they are counted. [After counting.] Evidently a sufficient number. The Clerk will call the roll. Those who favor the passage of the bill will, when their names are called, answer "yea"; those opposed will answer "nay."

The question was taken; and there were—yeas 353, nays 23, answered "present" 2, not voting 55, as follows:

YEAS—353.

Abercrombie	Bruckner	Coleman	Dickinson
Adair	Brumbaugh	Collier	Dies
Adamson	Buchanan, Tex.	Connelly	Dill
Aiken	Burgess	Conry	Dillon
Alexander	Burke	Cooper, Ohio	Dixon
Allen	Butler	Cooper, W. Va.	Dooling
Almon	Byrnes, S. C.	Cooper, Wis.	Doolittle
Anderson	Byrns, Tenn.	Copley	Doremus
Ashbrook	Caldwell	Costello	Dowell
Aswell	Candler, Miss.	Cox	Driscoll
Austin	Cannon	Crago	Drukner
Ayres	Cantrill	Crisp	Dunn
Bacharach	Capstick	Crosser	Dupré
Barkley	Caraway	Cullop	Dyer
Barnhart	Carlin	Curry	Eagan
Bell	Carter, Mass.	Dale, N. Y.	Eagle
Benedict	Carter, Okla.	Dale, Vt.	Elston
Black	Cary	Dallinger	Emerson
Blackmon	Casey	Danforth	Esch
Boober	Chandler, N. Y.	Darrow	Estopinal
Borland	Charles	Davis, Minn.	Evas
Bowers	Church	Decker	Farley
Britten	Clark, Fla.	Dempsey	Farr
Browne	Cline	Denison	Fess
Browning	Coady	Dent	Fields

Fitzgerald	Johnson, Wash.	Moss	Smith, Minn.
Flood	Jones	Mott	Smith, N. Y.
Focht	Kahn	Murray	Smith, Tex.
Fordney	Kearns	Neely	Snell
Foss	Keating	Nicholls, S. C.	Snyder
Foster	Keister	Nichols, Mich.	Sparkman
Frear	Kelley	Nolan	Stafford
Freeman	Kennedy, Iowa	North	Steagall
Fuller	Kennedy, R. I.	Norton	Stedman
Gallagher	Key, Ohio	Oakey	Steele, Iowa
Gallivan	Kiucheloe	Oldfield	Steele, Pa.
Gandy	King	Oliver	Steenserson
Gard	Kinkaid	Olney	Stephens, Miss.
Garland	Konop	O'Shaunessy	Stephens, Nebr.
Garner	La Follette	Overmyer	Stephens, Tex.
Gillett	Langley	Padgett	Sterling
Glass	Lazaro	Paige, Mass.	Stiness
Glynn	Lee	Park	Stone
Godwin, N. C.	Leibach	Parker, N. J.	Stout
Good	Lenroot	Parker, N. Y.	Sulloway
Goodwin, Ark.	Leshner	Peters	Sumners
Gould	Lever	Phelan	Sutherland
Gray, Ala.	Lewis	Platt	Sweet
Gray, Ind.	Lieb	Porter	Swift
Green, Iowa	Liebel	Pou	Switzer
Greene, Mass.	Linthicum	Powers	Taggart
Greene, Vt.	Littlepage	Pratt	Tagne
Griest	Lloyd	Price	Talbot
Griffin	Lobeck	Quin	Taylor, Ark.
Hadley	Longworth	Ragsdale	Temple
Hamilton, Mich.	Loud	Ralney	Tilson
Hamilton, N. Y.	McAndrews	Raker	Timberlake
Hamlin	McArthur	Ramseyer	Tinkham
Hardy	McClintic	Rauch	Towner
Harrison, Miss.	McCracken	Rayburn	Treadway
Harrison, Va.	McCulloch	Reavis	Van Dyke
Haskell	McDermott	Reilly	Vare
Hastings	McFadden	Ricketts	Venable
Haugen	McGillcuddy	Riordan	Vinson
Hawley	McKellar	Roberts, Mass.	Volstead
Hayden	McKinley	Roberts, Nev.	Walker
Heaton	McLaughlin	Rogers	Walsh
Heflin	McLemore	Rouse	Wason
Helm	Magee	Rowland	Watkins
Helvering	Maher	Rubey	Watson, Pa.
Hensley	Mann	Rucker, Ga.	Watson, Va.
Hernandez	Mapes	Rucker, Mo.	Whaley
Hilliard	Martin	Russell, Mo.	Wheeler
Holland	Mays	Russell, Ohio	Williams, T. S.
Hood	Meeker	Sanford	Williams, W. E.
Hopwood	Miller, Del.	Scott, Mich.	Williams, Ohio
Houston	Miller, Minn.	Scott, Pa.	Wilson, Fla.
Howard	Miller, Pa.	Shallenberger	Wilson, Ill.
Howell	Mondell	Sherley	Wilson, La.
Hughes	Montague	Shouse	Wingo
Hull, Iowa	Moon	Siegel	Wise
Hull, Tenn.	Moore, Pa.	Sims	Wood, Ind.
Humphrey, Wash.	Moore, Ind.	Sinnot	Woods, Iowa
Humphreys, Miss.	Morgan, La.	Slayden	Woodyard
Husted	Morgan, Okla.	Sloan	Young, N. Dak.
Hutchinson	Morin	Small	Young, Tex.
Igoe	Morrison	Smith, Idaho	
Jacoway		Smith, Mich.	
James			

NAYS—23.

Bailey	Gordon	London	Sisson
Burnett	Hollingsworth	Nelson	Tavener
Callaway	Huddleston	Page, N. C.	Thomas
Cramton	Johnson, Ky.	Saunders	Thompson
Davis, Tex.	Kitchin	Sears	Tillman
Doughton	Lindbergh	Sherwood	

ANSWERED "PRESENT"—2.

Buchanan, Ill.	Webb
----------------	------

NOT VOTING—55.

Anthony	Fairchild	Hicks	Oglesby
Barchfield	Ferris	Hill	Patten
Beakes	Flynn	Hinds	Randall
Beales	Gardner	Hulbert	Rosenberg
Bennet	Garrett	Johnson, S. Dak.	Sabath
Britt	Graham	Kent	Schall
Campbell	Gray, N. J.	Kless, Pa.	Scallv
Carew	Gregg	Kreider	Sells
Chipfield	Guernsey	Lafean	Shackelford
Davenport	Hamill	Lott	Simp
Dewalt	Hart	Madden	Taylor, Colo.
Edmonds	Hayes	Matthews	Ward
Edwards	Helgesen	Mooney	Winslow
Ellsworth	Henry	Mudd	

So the bill was passed.

The Clerk announced the following pairs:

On this vote:

Mr. BUCHANAN of Illinois (against) with Mr. CHIPERFIELD (for).

Until further notice:

Mr. SHACKLEFORD with Mr. HILL.

Mr. PATTEN with Mr. HICKS.

Mr. TAYLOR of Colorado with Mr. BENNET.

Mr. SABATH with Mr. FAIRCHILD.

Mr. WEBB with Mr. MUDD.

Mr. FERRIS with Mr. WARD.

Mr. CAREW with Mr. MADDEN.

Mr. HART with Mr. EDMONDS.

Mr. HENRY with Mr. CAMPBELL.

Mr. OGLESBY with Mr. ANTHONY.

Mr. BEAKES with Mr. GARDNER.

Mr. HULBERT with Mr. HAYES.
Mr. LOFT with Mr. GRAY of New Jersey.
Mr. HAMILL with Mr. GRAHAM.
Mr. DAVENPORT with Mr. KLESS of Pennsylvania.
Mr. DEWALT with Mr. RODENBERG.
Mr. EDWARDS with Mr. SCHALL.
Mr. FLYNN with Mr. SELLS.
Mr. GARRETT with Mr. SLEMP.
Mr. GREGG with Mr. WINSLOW.
Mr. BUCHANAN of Illinois. Mr. Chairman, how am I recorded as voting?

The SPEAKER. In the negative.

Mr. BUCHANAN of Illinois. Is my colleague [Mr. CHIPERFIELD] recorded as voting?

The SPEAKER. He is not.

Mr. BUCHANAN of Illinois. Then I desire to withdraw my vote and to answer present.

Mr. KENT. Mr. Speaker, I desire to vote.

The SPEAKER. Was the gentleman in the hall listening?

Mr. KENT. No; I was not here. I just came in.

The SPEAKER. The gentleman can not vote.

The result of the vote was announced as above recorded.

On motion of Mr. PADGETT, a motion to reconsider the vote by which the bill was passed was laid on the table.

INQUIRY UNDER HOUSE RESOLUTION 429.

Mr. POUL. Mr. Speaker, on the 17th of January 30 days additional time was allowed to the Committee on Rules for the consideration of resolution 429, commonly known as the leak-inquiry resolution. That time will expire on the 16th. The committee are compelled to take a trip to New York to-night for probably one day, and it is apparent that there will hardly be ample time to prepare a report within the 30 days. By instruction of the Committee on Rules I therefore ask unanimous consent that 10 days' additional time be allowed the committee for the consideration of this resolution.

The SPEAKER. The gentleman from North Carolina [Mr. POW], by authority of the Committee on Rules, asks unanimous consent that the time limit on the so-called leak investigation be extended 10 days. Is there objection?

There was no objection.

CERTAIN INDIANS IN THE STATE OF WASHINGTON.

Mr. STEPHENS of Texas. Mr. Speaker, I desire to call up the conference report on the bill (H. R. 8092) confirming patents heretofore issued to certain Indians in the State of Washington.

The SPEAKER. The Clerk will read the conference report.

The Clerk read as follows:

CONFERENCE REPORT.

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 8092) confirming patents heretofore issued to certain Indians in the State of Washington, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 1 and 2, and agree to the same.

JNO. H. STEPHENS,

C. D. CARTER,

Managers on the part of the House.

KEY PITTMAN,

MOSES E. CLAPP,

HARRY LANE,

Managers on the part of the Senate.

The conference report was agreed to.

On motion of Mr. STEPHENS of Texas, a motion to reconsider the vote by which the conference report was agreed to was laid on the table.

PENSIONS.

Mr. RAUCH. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of H. R. 20748, making appropriations for the payment of invalid and other pensions of the United States for the fiscal year ending June 30, 1918, and for other purposes, and pending that motion I wish to ask the gentleman from Illinois [Mr. CANNON] if we can reach some agreement as to time for general debate.

Mr. CANNON. I have had one or two applications on this side for a little time for general debate.

Mr. MANN. I had expected to take about half an hour this afternoon, but I had rather postpone it and take it on the military bill.

Mr. KAHN. I will yield to the gentleman from Illinois [Mr. MANN] half an hour in the general debate on the military bill.

Mr. CANNON. There will be general debate on the military bill, will there?

Mr. MANN. Probably three hours on a side.

Mr. KAHN. I understand that we are to have three hours on a side, six hours in all, on Thursday. To-morrow being Calendar Wednesday, it will not be called up then.

Mr. CANNON. The gentleman from Connecticut [Mr. OAKLEY] wants five minutes.

Mr. RAUCH. How much time does the gentleman want?

Mr. CANNON. I fancy 30 minutes will be sufficient, and I do not know that there will be any time desired on this side beyond the five minutes for the gentleman from Connecticut [Mr. OAKLEY].

Mr. MANN. Let me suggest to my colleague that the Printing Committee has a lot of chicken feed that we all want.

Mr. BARNHART. That has been waiting a long time.

Mr. MANN. The Printing Committee probably will not have a chance to get in with those resolutions for some time unless they come in to-day. Why not let them in this afternoon?

Mr. CANNON. I intended to ask for at least an hour on this side, but frankly I have no objection to the passage of the pension appropriation bill. I intended to discuss other matters, but I have no desire to embarrass the Committee on Printing or to take the time of the House. I fancy we are unanimously in favor of this pension appropriation bill. In fact, it would be a tolerably bold man on either side of the House who would oppose making appropriations to pay pensions under the law. The gentleman from Connecticut [Mr. OAKLEY] can get his five minutes under the five-minute rule.

Mr. MANN. He does not wish to discuss the bill. He wishes his time under general debate.

Mr. CANNON. Suppose you allow this side 20 minutes—and I may not desire to consume that much time.

Mr. RAUCH. Mr. Speaker, pending the motion to go into Committee of the Whole, I ask unanimous consent that the general debate on the pension bill be limited to 35 minutes, 20 minutes to be controlled by the gentleman from Illinois [Mr. CANNON] and 15 minutes by myself.

Mr. BARNHART. Reserving the right to object, the Committee on Printing has an accumulation of some 25 or 30 little resolutions, insignificant in general but of much importance to individual Members. The committee has been trying to take up these resolutions at some time which would not interfere with any of the appropriation bills. It has seemed impossible to do so. We are now nearing the end of this Congress. Some of these resolutions must be sent to the Senate, and unless we can put them through in the very near future it will be impossible to have them considered by the Senate before the close of the present session of Congress. They will require probably 30 or 45 minutes, or if no one interferes not more than 15 minutes.

Mr. MANN. They will take more time than that.

Mr. BARNHART. Well, an hour; and if we can make an arrangement to get through with the general debate and then give the Printing Committee the balance of the time, that will be agreeable to the Printing Committee.

Mr. MANN. I think nobody will contest the right of the gentleman after the pension bill is out of the way. The military bill is not to be brought in to-day.

Mr. BARNHART. The right of the Printing Committee will be contested if the pension appropriation bill occupies the balance of the evening and the Military Affairs Committee want to come in to-morrow.

Mr. RAUCH. The pension bill is short, and I know of no objection to it.

Mr. MURRAY. Let us vote "aye" on it.

Mr. CANNON. I refrain from taking time upon this bill for the reason that this session draws to a close, and I would be glad to see the necessary legislation from every standpoint enacted before the 4th of March. [Applause.] I stand to help to expedite that.

The SPEAKER. The gentleman from Indiana [Mr. RAUCH] asks that the general debate on the pension appropriation bill be limited to 35 minutes—

Mr. RAUCH. I understand that the gentleman from Illinois has withdrawn his request for time.

Mr. CANNON. Except for five minutes for the gentleman from Connecticut [Mr. OAKLEY].

Mr. RAUCH. Therefore I ask that general debate on this bill be limited to 20 minutes—

Mr. MANN. Make it 15 minutes.

Mr. RAUCH. Be limited to 15 minutes, 5 minutes to be controlled by the gentleman from Illinois [Mr. CANNON] and 10 minutes by myself. [Applause.]

The SPEAKER. The gentleman asks unanimous consent that debate on this bill be confined to 15 minutes, 5 minutes to be controlled by the gentleman from Illinois [Mr. CANNON] and 10 minutes to be controlled by himself. Is there objection?

There was no objection.

On motion of Mr. RAUCH, the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H. R. 20748) making appropriations for the payment of invalid and other pensions of the United States for the fiscal year ending June 30, 1918, and for other purposes, with Mr. WM. ELZA WILLIAMS in the chair.

The CHAIRMAN. The House is now in Committee of the Whole House on the state of the Union for the consideration of the bill of which the Clerk will read the title.

The Clerk read as follows:

A bill (H. R. 20748) making appropriations for the payment of invalid and other pensions of the United States for the fiscal year ending June 30, 1918, and for other purposes.

Mr. CANNON. Does the gentleman from Indiana wish me to use my time now?

Mr. RAUCH. Yes.

Mr. CANNON. I yield five minutes, all the time I have, to the gentleman from Connecticut [Mr. OAKLEY].

Mr. OAKLEY. Mr. Chairman, I thank the distinguished gentleman from Illinois for the courtesy he has extended to me. My apology to you is that I simply want to make a correction in the Record which has worked out an injustice to myself and to a part of my district. I shall endeavor to be very brief, I assure you.

In the bill reported by the Committee on Public Buildings and Grounds was an appropriation for a town in my district, Manchester by name. The bill carried with it an appropriation of \$40,000 for a new building in that town where the Government had owned for some years a site, a lot of land 120 by 130 feet. The committee asked me to choose what town I would like to have an appropriation made for and I selected this town, consisting of two communities, Manchester and South Manchester. I presented to them as carefully as I could the figures concerning these communities. I found that they had recommended the sum of \$40,000, which I thought was entirely too small. I wrote them, calling upon them the second or third time, and asked them to increase it because it seemed to me that the figures for this great, live community warranted more. The Supervising Architect's Office advised an appropriation of \$45,000, but the committee made it \$40,000. I let it go for \$40,000.

Much to my surprise I found in the back part of the Record the other day two criticisms that were made against this appropriation by Members of this House—one by the gentleman from Indiana [Mr. Cox] and the other by the gentleman from Iowa [Mr. Goon]—putting this appropriation into the pork-barrel list.

All of this came, my friends, because I believed that the Supervising Architect's Office was not aware that the appropriation asked for was for both of these towns rather than for one, and therefore, peculiarly enough, they selected the one which is very much smaller than the other and gave to the patriotic gentleman from Indiana and the gentleman from Iowa figures on the small town. After the Supervising Architect had recommended an appropriation of \$45,000, which was reduced to \$40,000, they gave him the figures on the small town and thus put the community in the undesirable list of appropriations.

Mr. GLYNN. Will the gentleman yield?

Mr. OAKLEY. I will yield to my colleague.

Mr. GLYNN. The gentleman has stated that this appropriation was for two towns; I think he means for two post offices in one town.

Mr. OAKLEY. It is two communities now, and when we combine them, as far as the post office is concerned, it will be one town. The cause of this series of errors was that one of these communities was named Manchester and the combined community, when they get the new post office, if they ever do, will be also Manchester.

Now, my friends, the population of this community is approximately 18,000. The postal receipts for the last fiscal year were thirty-three thousand and some hundred dollars. The grand list is twenty-one million. They do not manufacture shoddy in Manchester, they manufacture silk. [Applause.] It is one of the greatest silk manufacturing communities in the world. They are not making subterfuge for the purpose of asking something they are not entitled to, they make American flags. [Applause.]

These communities are not only the most progressive, but the most beautiful and the most up-to-date communities in America, and are modest in asking for an appropriation with these fig-

ures. I protest, Mr. Chairman and gentlemen, against this modest appropriation being put into the Record, in the back part when it was not read in the House, as a pork-barrel proposition, when it is a porterhouse steak. [Laughter and applause.]

Mr. RAUCH. Mr. Chairman, this bill comes from the Committee on Appropriations and carries the amount of \$160,060,000. It is in accordance with the estimates of the Commissioner of Pensions, and I ask for the reading of the bill.

The Clerk, in reading the bill for amendment, read as follows:

For fees and expenses of examining surgeons, pensions, for services rendered within the fiscal year 1918, \$60,000: *Provided*, That hereafter the fee for each examination made at the claimant's residence by an examining surgeon of the Bureau of Pensions for use in a pension claim shall be \$4 and in lieu of actual traveling expenses there shall be paid 15 cents per mile for the distance actually traveled each way, but not exceeding the distance by the most direct route between the surgeon's office and the claimant's home.

Mr. MANN. Mr. Chairman, I reserve a point of order on the paragraph.

Mr. RAUCH. I will state to the gentleman from Illinois that the reason for incorporating this language in the bill is given by the Commissioner of Pensions as follows: Under the decision of the comptroller, these examining surgeons when they visit the home of a claimant are required to make a detailed report giving the items of the expenses they incur in making the trip, and it has resulted, according to the testimony of the Commissioner of Pensions, in a large and useless amount of details which he thinks can be avoided by adopting the language carried in the bill. He does not ask for an additional appropriation on account of this change in the language.

Mr. MANN. He will if it becomes necessary.

Mr. RAUCH. Yes; of course. As illustrative, they gave the committee some of the items set forth in the returns of one of the examining surgeons. He charges up for engine oil 25 cents, kerosene oil 1 cent, transmission grease for bearings 1 cent, cup grease 1 cent, and so on, with a number of very small items, to which under the law he is entitled to be paid, but which, according to the decision of the comptroller, must be set forth in detail. No doubt he drove an automobile.

There is another feature in connection with the system under the present law and that is the large expense incurred in making some of these trips when an automobile is hired, or a taxicab, for instance.

They told the committee that some trips amounted to as much as fifteen or twenty dollars under the present law.

Mr. MANN. Then they ought to discharge such an examining surgeon. If the surgeons are working them, all the commissioner has to do is to fire them. He has that authority.

Mr. RAUCH. I do not think there is any doubt about that.

Mr. MANN. The gentleman speaks of a man going in an automobile that he owns. I take it there would have to be a showing made, first, as to what is the most direct route between the surgeon's office and the claimant's home; second, the distance actually traveled each way, and that will be some burden, but 15 cents a mile is a pretty large charge. We have had a controversy in this House for years as to whether or not we should be paid 20 cents a mile for bringing our families into Washington and taking them home. The surgeon's family does not have to go on these trips with him, yet it is proposed here by unanimous consent to allow 15 cents a mile each way, or 30 cents a mile one way, to a man who rides in an automobile, a train, or any other way, by himself, nobody accompanying him, for the distance between his office and the claimant's home, though, as a matter of fact, he may visit three or four claimants at the same time, without going to his office at all.

Mr. RAUCH. If the gentleman will permit me, I will say that the suggestion by the Commissioner of Pensions was a fee of \$5 and a mileage allowance of 20 cents.

Mr. MANN. He got that from our allowance, I suppose.

Mr. RAUCH. He did not so state.

Mr. MANN. Oh, no; but that is what the basis of it was. There are a great many things that he does not know. He does not know that that allowance is supposed to cover the cost of a man's family coming to and going home from Washington.

Mr. RAUCH. The language is clearly subject to the point of order.

Mr. MANN. There is no doubt about that, but what I am trying to do is to see if we can not cut down the 15 cents to a reasonable amount.

Mr. CANNON. Mr. Chairman, if the gentleman will permit, you have got to have enough to compensate the surgeon, otherwise he will not perform.

Mr. MANN. There are plenty of them who will perform if he does not.

Mr. CANNON. The evidence was that they now perform in cities like Chicago and New York very largely for the sake of having a certificate to hang up in their offices. I was under the impression that this would reduce the amount that the surgeons receive after hearing all that was told about it.

Mr. MANN. It would reduce some of the amounts.

Mr. CANNON. I mean in the aggregate.

Mr. MANN. Of course, the city of Chicago is a large city, and the surgeon would have his office down town. He might live 10 miles out. He may visit half a dozen or a dozen of these people 10 miles out, and under this provision he is to get 30 cents a mile one way for each claimant for the distance between his office and the home of the claimant, though he may not travel it at all. Fifteen cents a mile each way to ride in an automobile is considerable. I dare say it does not cost anybody who owns a Packard that much money.

Mr. RAUCH. Or a Ford. If the gentleman cares to offer an amendment reducing it to 10 cents a mile, I shall not object.

Mr. CANNON. Mr. Chairman, I have had experience, and I think, taking everything into consideration, the wages of the driver, the wear and tear of the machine, I am inclined to think that from 35 to 40 cents a mile would about cover it.

Mr. MANN. That has not been my experience.

Mr. RAUCH. I will say to the gentleman that the amount of money expended for this work is not great, of course, in comparison with the other work performed by the Bureau of Pensions.

Mr. MANN. I think 10 cents a mile is enough.

Mr. RAUCH. They do say they have great difficulty in securing surgeons to perform this work.

Mr. MANN. All they need to do is to advertise that fact. I have had great difficulty at times in giving proper excuses for not getting men appointed on the board.

Mr. RAUCH. Does the gentleman desire to offer an amendment?

Mr. MANN. I do if it is going to be agreed to.

Mr. RAUCH. I stated that I would not oppose it.

Mr. MANN. Will the gentleman support it?

Mr. RAUCH. Yes; I will support it.

Mr. MANN. Mr. Chairman, I withdraw the point of order, and move to amend, in line 15, page 2, by striking out the word "fifteen" and inserting in lieu thereof the word "ten."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 2, line 15, strike out the word "fifteen" and insert the word "ten."

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. LANGLEY. Mr. Chairman, I ask unanimous consent to extend my remarks in the Record upon this bill.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. MANN. Mr. Chairman, before the gentleman from Indiana moves to rise, I desire to announce that I have just been informed that the Speaker of the House is a granddaddy. [Applause.]

Mr. CANNON. Mr. Chairman, if I may be allowed a moment, as a grandfather for 21 years I take great pleasure in welcoming the Speaker of the House to the company of grandfathers—I sometimes say old fool grandfathers. [Laughter.] And I know he is qualified, for he is the recipient of a hat of the vintage of 1852, donated by the gentleman from California [Mr. Kent.] [Laughter.]

Mr. RAUCH. Mr. Chairman, I move that the committee do now rise and report the bill with the amendment, with the recommendation that the amendment be agreed to and that the bill as amended do pass.

The motion was agreed to.

Accordingly the committee rose; and the Speaker resumed the chair amid applause.

The SPEAKER. Gentlemen of the House, one touch of nature makes the whole world kin. [Applause.] The happiest moments in my life have been the day I was married, the days my children were born, the day that this, the first of my grandchildren, was born [applause], and I hope there will be many more of them. [Laughter and applause.] The more Americans there are the better the country and the world are off. The other happiest day of my life was when I was a student at the Kentucky University, when at the end of the first examination in Greek four of us made the grade of 100 on a scale of 100. [Applause.] That was the first victory I ever won among strangers, and it was a very happy occasion; and from the

very bottom of my heart I thank this House for this last evidence of its love and affection for me and mine. [Loud applause.]

The SPEAKER. The gentleman from Illinois.

Mr. WM. ELZA WILLIAMS. Mr. Speaker, the Committee of the Whole House on the state of the Union has had under consideration the bill (H. R. 20748) and directs me to report the same back to the House with an amendment, with the recommendation that the amendment be agreed to and that the bill as amended do pass.

The SPEAKER. The question is on the amendment.

The question was taken, and the amendment was agreed to. The bill as amended was ordered to be engrossed and read the third time, was read the third time, and passed.

On motion of Mr. RAUCH, a motion to reconsider the vote by which the bill was passed was laid on the table.

ORDER OF BUSINESS.

Mr. FULLER. Mr. Speaker—

The SPEAKER. For what purpose does the gentleman rise?

Mr. FULLER. There is a little pension bill concerning proof of widowhood in pension cases that will take about two minutes, and I ask unanimous consent now that it may be considered now in the House as in the Committee of the Whole House on the state of the Union.

The SPEAKER. The gentleman from Illinois asks unanimous consent for the present consideration of the bill (H. R. 20353). Is there objection?

Mr. GARDNER. What is the bill?

Mr. STAFFORD. Let the bill be reported.

The SPEAKER. The Clerk will report by the bill by title.

The Clerk read as follows:

A bill (H. R. 20353) concerning proof of widowhood in claims for pension.

Mr. STAFFORD. Mr. Speaker, reserving the right to object, this bill will be called up in its regular order on Monday.

Mr. FULLER. No; there will be no chance to reach it unless it can be passed now. It will not take two minutes. It has a unanimous report from the Committee on Invalid Pensions, and there can be no objection to it.

Mr. STAFFORD. I went over the bill on last unanimous-consent day, and I object.

The SPEAKER. The gentleman from Wisconsin objects.

Mr. FULLER. It will take but a minute.

The SPEAKER. But the gentleman from Wisconsin has objected.

RESOLUTIONS FROM COMMITTEE ON PRINTING.

Mr. BARNHART. Mr. Speaker, I send to the Clerk's desk a privileged resolution, and, preliminary to the consideration of it, I want to make a very brief statement. The allotment by the Appropriations Committee for the printing of the Congress for the last fiscal year was \$1,340,000. Of that three-fourths has been expended; and if the Senate will be as economical up to the close of the session as the House has been we will have more than a quarter of a million dollars of this to turn back into the Treasury.

Mr. MANN. Will the gentleman yield?

Mr. BARNHART. I will yield.

Mr. MANN. They have just sent a deficiency estimate for congressional printing, I think, of about half a million dollars.

Mr. BARNHART. If that is correct, it has come from the Senate side and within the past 24 hours.

Mr. MANN. It came from the Secretary of the Treasury.

Mr. BARNHART. That may be for departmental printing, not for congressional printing.

Mr. MANN. It says congressional printing.

Mr. BARNHART. The report we have from the Government printers shows a balance of \$313,862 quite recently.

Mr. MANN. Unless I am very much mistaken—and I might be—the deficiency estimate just received from the Secretary of the Treasury carried several hundred thousand dollars deficiency for congressional printing.

Mr. BARNHART. Well, if that is the situation, it has developed within a very few days; and I am sure, Mr. Speaker, that the House has not expended any such amount in the past six months.

Mr. SLAYDEN. Will the gentleman yield?

Mr. BARNHART. I will yield.

Mr. SLAYDEN. Has not the Senate recently enacted some legislation in the way of economy of expenditures by setting some limit on the material that is to go into the Record?

Mr. BARNHART. The Senate passed an abbreviated printing bill, the one that the House has considered twice and passed once and the Senate has passed once, and that was passed at a night session, placing a limitation upon publication in the Con-

GRESSIONAL RECORD and providing for the distribution of documents in a somewhat modified way from the plan which we proposed in the bill we have heretofore enacted, giving to each Member of Congress the documents that he needs rather than apportion to him an allotment of all documents printed, many of which he can not possibly use.

Mr. SLAYDEN. Are we going to have an opportunity to vote on such wise legislation?

Mr. BARNHART. We will have an opportunity to vote upon such wise legislation if somebody does not interpose an objection to unanimous consent, or the Rules Committee will give the Committee on Printing a rule to bring in such a bill.

Mr. SLAYDEN. The Record of to-day has about 150 pages in it.

Mr. BARNHART. I will say in that connection that a matter came up day before yesterday in which a Member of the House asked unanimous consent to insert some reprint in the Record, and when I inquired about it I was told it did not amount to very much. But I went and looked up the figures and discovered that that one item, that is, the item of inserting in the Record along the one particular line by this one particular Member, amounted to 119 pages, which will cost the Government for the printing alone \$3,850, and the franking privilege will be in addition to that. It is a limitation bill on such extraneous matter that the Committee on Printing hopes to be able to get up for consideration and passed within an hour, if we can get the consent of the House to call it up.

OPINION NO. 4229 (H. REPT. NO. 1468).

The SPEAKER. The Clerk will report the resolution. The Clerk read as follows:

House resolution 464.

Resolved, That there shall be printed, for the use of the House of Representatives, 10,000 copies of Opinion No. 4229 of the Interstate Commerce Commission, designated as Document No. 9284, relating to the car-supply investigation, to be distributed to Members of the House through the folding room.

Also, the following committee amendments were read:

Line 2, strike out "10" and insert "5," so that it will read "5,000 copies of Opinion No. 4229."

Line 7, strike out "folding" and insert "document," so that it will read "through the document room."

Mr. MANN. Mr. Speaker, I hold in my hand the deficiency estimates from the Secretary of the Treasury dated February 5, 1917, and referred in this House to the Committee on Appropriations on February 6, 1917. The first item in it is "Legislative. Public Printer. Public printing and binding: For public printing, public binding, and for paper for public printing and binding, including the cost of printing the debates and proceedings of Congress in the CONGRESSIONAL RECORD," and so forth—the same item that is carried by the appropriation bill for congressional printing—\$520,937.05.

Mr. BARNHART. I hold in my hand a report dated January 28, in which the Public Printer reports a balance in the Treasury to the credit of congressional printing to the amount of \$316,000. Somebody is evidently mistaken. I get my information from the Public Printer.

Mr. MANN. Over \$300,000 out of millions of dollars is not very much left to the last of January, I will say to the gentleman.

Mr. STAFFORD. Is it not possible that this deficiency appropriation is desired to be used after the adjournment of Congress?

Mr. BARNHART. Possibly so, but I call attention to the fact that the total of these bills that we are now considering will be less than \$25,000, and if the balance of the money is expended it will be done by the Senate hereafter, because the House has very little more to do. The department is trying to raise their contracts for public printing, but so far the Joint Committee on Printing has been intervening and preventing it.

Mr. STAFFORD. Will the gentleman yield?

Mr. BARNHART. Yes.

Mr. STAFFORD. What is the document that is purposed to be authorized under this resolution?

Mr. BARNHART. This is the report of the Interstate Commerce Commission on car shortage. It is a little document that costs \$118, a resolution submitted by the gentleman from Virginia [Mr. SLEMP], and is said to be very important to the coal-producing regions of the United States.

The SPEAKER. The question is on agreeing to the amendments.

The amendments were agreed to.

The SPEAKER. The question is on the resolution as amended.

The resolution as amended was agreed to.

RAILROAD STRIKES AND LOCKOUTS (H. REPT. NO. 1467).

Mr. BARNHART. Mr. Speaker, I send up another privileged resolution to the Clerk's desk.

The SPEAKER. The Clerk will report the resolution.
The Clerk read as follows:

House resolution 438.

Resolved, That there be printed as a House document the pamphlet entitled "Railway Strikes and Lockouts," compiled by the United States Board of Mediation and Conciliation, containing a compilation of the laws of all countries relating to strikes and the settlement of industrial disputes.

The SPEAKER. The question is on agreeing to the resolution.

The resolution was agreed to.

OCEAN SHIPPING (H. REPT. NO. 1466).

Mr. BARNHART. Mr. Speaker, I send another resolution to the Clerk's desk.

The SPEAKER. Is it privileged?

Mr. BARNHART. Yes, sir.

The SPEAKER. The Clerk will report the resolution.
The Clerk read as follows:

House resolution 294.

Resolved, That the Committee on Printing is hereby authorized and instructed to have printed 5,000 copies of second edition, May, 1916, Ocean Shipping: The Basic Principles of Marine Transportation with Particular Reference to the Foreign Trade of the United States, published by the National Foreign Council, 64 Stone Street, New York, as a public document.

Also the following committee amendment was read:

In line 1, strike out the words "The Committee on Printing is hereby authorized and instructed to have" and insert the words "there be," and after the word "printed," in line 2, strike out "five thousand" and insert "two thousand five hundred," and in line 8, after the word "document," insert the words "for the use of the House of Representatives," so that the resolution as amended will read: "*Resolved*, That there be printed 2,500 copies of second edition, May, 1916, Ocean Shipping: The Basic Principles of Marine Transportation with Particular Reference to the Foreign Trade of the United States, published by the National Foreign Trade Council, 64 Stone Street, New York, as a public document, for the use of the House of Representatives."

The SPEAKER. The question is on agreeing to the amendment.

Mr. HUMPHREYS of Mississippi. How will that document be distributed?

Mr. BARNHART. It will be distributed through the folding room.

The SPEAKER. The question is on agreeing to the amendment.

The amendment was agreed to.

The SPEAKER. The question is on agreeing to the resolution as amended.

The resolution as amended was agreed to.

Mr. BARNHART. Mr. Speaker, before presenting another privileged resolution I want to call the attention of the membership of the House to a message just received from the Public Printer, in which he says that the unencumbered balance for printing and binding to-day is \$208,000.

Mr. MANN. But this is only the first of February.

CHICAGO, ROCK ISLAND & PACIFIC RAILWAY CO. (H. REPT. NO. 1465).

Mr. BARNHART. Now, I submit another privileged resolution and ask for its present consideration.

The SPEAKER. The Clerk will report the resolution.

The Clerk read as follows:

House resolution 227.

Resolved, That there be printed 5,000 copies of the record of the investigation made by the Interstate Commerce Commission with reference to the financial transactions, history, and operation of the Chicago, Rock Island & Pacific Railway Co.

With a committee amendment, as follows:

Insert, after the word "company," in the last line, the words "for use in the House document room."

The SPEAKER. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. STAFFORD. Mr. Speaker, I move to strike out the last word. What expense would be occasioned by the printing of this document—the reprinting of the testimony concerning the Chicago, Rock Island & Pacific Railway Co.?

Mr. BARNHART. It would cost \$21.54. It costs \$12 a minute to run the House. [Laughter.]

The SPEAKER. The question is on agreeing to the resolution as amended.

The resolution as amended was agreed to.

WITHDRAWAL OF PAPERS.

Mr. SMITH of Minnesota was granted leave to withdraw from the files of the House, without leaving copies, the papers in H. R. 2547, first session Fifty-fourth Congress.

STATUE OF GEN. THADDEUS KOSCIUSKO (H. REPT. NO. 1464).

Mr. BARNHART. Mr. Speaker, I send to the Clerk's desk a privileged resolution and ask for its present consideration.

The SPEAKER. The Clerk will report it.
The Clerk read as follows:

House concurrent resolution 58.

Resolved by the House of Representatives (the Senate concurring), That there shall be printed and bound in the form of eulogies, with accompanying illustrations, 17,100 copies of the proceedings upon the unveiling of the statue of Gen. Thaddeus Kosciuszko in Washington, May 11, 1910, of which 5,000 shall be for the use of the Senate, 10,000 for the use of the House of Representatives, 2,000 to be delivered to the National Polish-American Alliance for such distribution as said alliance may desire to make, and the remaining 100 copies shall be bound in full morocco and distributed through the Department of State to the descendants of Gen. Thaddeus Kosciuszko and the speakers who took part in said celebration.

The SPEAKER pro tempore (Mr. BYRNS of Tennessee). The question is on agreeing to the concurrent resolution.

The concurrent resolution was agreed to.

STATUE OF COUNT CASIMIR PULASKI (H. REPT. NO. 1463).

Mr. BARNHART. Mr. Speaker, I submit another privileged resolution and ask for its present consideration.

The SPEAKER pro tempore. The Clerk will report the resolution.

The Clerk read as follows:

House concurrent resolution 59.

Resolved by the House of Representatives (the Senate concurring), That there shall be printed and bound in the form of eulogies, with accompanying illustrations, 17,100 copies of the proceedings upon the unveiling of the statue of Count Casimir Pulaski in Washington, May 11, 1910, of which 5,000 shall be for the use of the Senate, 10,000 for the use of the House of Representatives, 2,000 to be delivered to the National Polish-American Alliance for such distribution as said alliance may desire to make, and the remaining 100 copies shall be bound in full morocco and distributed through the Department of State to the descendants of Count Casimir Pulaski and the speakers who took part in said celebration.

Mr. MANN. Mr. Speaker, that is presented as a privileged resolution. It is not, but I shall not make a point of order on it.

The SPEAKER pro tempore. The question is on agreeing to the concurrent resolution.

The concurrent resolution was agreed to.

NAVIGATION LAWS (H. REPT. NO. 1480).

Mr. BARNHART. Mr. Speaker, I send another privileged resolution to the Clerk's desk and ask for its present consideration.

The SPEAKER pro tempore. The Clerk will report it.

The Clerk read as follows:

House resolution 150.

Resolved, That the Committee on Printing is hereby authorized and instructed to have printed 10,000 copies of "Navigation laws, comparative study of principal features of the laws of the United States, Great Britain, Germany, Norway, France, and Japan," contained in report of the Bureau of Foreign and Domestic Commerce to the Secretary of Commerce on January 12, 1916 (Special Agents' Series No. 114).

Mr. BARNHART. Mr. Speaker, the report of the committee there is that the resolution do not pass.

Mr. MANN. Move to lay it on the table.

Mr. BARNHART. Mr. Speaker, I move to lay the resolution on the table.

The SPEAKER pro tempore. The gentleman from Indiana moves to lay the resolution on the table. The question is on agreeing to that motion.

The motion was agreed to.

SOIL SURVEY OF THE BILOXI AREA, MISSISSIPPI (H. REPT. NO. 1469).

Mr. BARNHART. Mr. Speaker, I submit another privileged resolution, which I send to the Clerk's desk and ask for its present consideration.

The SPEAKER pro tempore. The Clerk will report it.

The Clerk read as follows:

House resolution 14.

Resolved, That there shall be printed 1,000 additional copies of the Soil Survey of the Biloxi Area, Mississippi, for use in the House document room.

The SPEAKER pro tempore. The question is on agreeing to the resolution.

Mr. MANN. For whose benefit is it? Who represents the district?

Mr. BARNHART. The gentleman from Illinois asks a very important question. There are about 15—

Mr. MANN. Why does not the gentleman answer it?

Mr. BARNHART. I am trying to answer it, if the gentleman will give me time. I can not answer as readily as the gentleman from Illinois.

Mr. MANN. These proceedings cost \$12 a minute. All I want to know is the name of the Member.

Mr. BARNHART. The name of the Member is Mr. BORLAND. He introduced the resolution.

Mr. MANN. Who will get these copies? This is a soil survey of a particular place, and I am not opposed to it, but just for curiosity I want to know the name of the Member who gets the copies.

Mr. BARNHART. We could have that read for each resolution. The documents go to the document room. The author of the resolution is Mr. BORLAND, of Missouri.

Mr. MANN. But this is for a soil survey in Mississippi.

Mr. LEVER. Is there any special reason for printing these extra copies? As I understand, the Department of Agriculture prints 2,000 copies for the House of Representatives and 2,000 copies for the Senate, which would make 4,000 copies of any one particular survey. Is there any particular reason for this reprint?

Mr. BARNHART. The supplies are exhausted. I want to say a word in behalf of the Committee on Printing. For more than two years none of these soil-survey resolutions have been reported out of the Committee on Printing; but the pressure has been very strong from the Members who introduced these resolutions, and we decided to submit them all to the House for its consideration. The committee itself believe that this matter is or ought to be wholly in the hands of the Department of Agriculture, and that that department ought to provide an ample allowance. It is given an appropriation each year to take care of all these matters. Yet we are constantly besieged by Members who have requests for these soil surveys. Speaking for myself, we have had some soil surveys in the district which I represent, and I had notices placed in many of the newspapers stating that these soil surveys were available, but I think I have had less than 50 requests for them.

Mr. FOSTER. The farmers in the gentleman's district are very intelligent.

Mr. MANN. I have always been rather of the opinion that when the Government goes to very great expense in making a soil survey, which is primarily useful only to the men who occupy the soil, if they want to obtain copies of the survey they ought to have them.

Mr. BARNHART. Yes.

Mr. MANN. But my curiosity is not yet satisfied. For the life of me, I can not see why the gentleman from Kansas City [Mr. BORLAND] should be interested in placing in the document room a thousand copies of a soil survey of Biloxi, Miss., and I think we are entitled to an explanation as to who is going to get the copies.

Mr. BARNHART. This is for Jackson County, Mo.

Mr. MANN. No; the Clerk read Biloxi, Miss. I think the gentleman is talking about the wrong resolution.

Mr. BARNHART. Yes. This resolution was introduced by the gentleman from Mississippi [Mr. HARRISON].

Mr. MANN. That is different. I could not understand before. I have no objection to the resolution.

Mr. STAFFORD. I wish to inquire how many such resolutions the chairman of the committee has to report.

Mr. BARNHART. About 15.

Mr. STAFFORD. All relating to soil surveys?

Mr. BARNHART. All relating to soil surveys.

Mr. STAFFORD. What is the cost of the reprint?

Mr. BARNHART. Each one of these costs less than \$500. This one which I hold in my hand will cost \$412. We cut the number down so that they would cost less than \$500.

Mr. STAFFORD. Has the gentleman any resolutions other than those providing for soil surveys?

Mr. BARNHART. No others.

Mr. CANNON. The original survey was printed at the Agricultural Department?

Mr. BARNHART. Yes.

Mr. CANNON. That is exhausted?

Mr. BARNHART. The supply is exhausted. The plates of the maps, and so forth, are all preserved, and the cost of the reprinting is only nominal, in some cases only \$150 for 2,000 copies.

Mr. STAFFORD. Why can not they now be printed in the Agricultural Department?

Mr. BARNHART. They ought to be printed by the Agricultural Department.

Mr. STAFFORD. Has the gentleman made any inquiry of the Agricultural Department as to why they do not reprint?

Mr. BARNHART. Yes; and they say they do not consider that the original appropriation or allotment for printing gives them authority to reprint.

Mr. STAFFORD. How many bills has the committee had under consideration providing for reprints?

Mr. BARNHART. Twelve or fifteen.

Mr. STAFFORD. Are any others pending?

Mr. BARNHART. No; no others pending. This covers the whole field.

Mr. STAFFORD. This is establishing a precedent that may come back to plague us in the future. If every Member who has a soil survey in his district comes here and wants a reprint it will be a burden on us.

Mr. BARNHART. The gentleman is mistaken in saying that reprints have not heretofore been authorized by the House, because I am advised that there have been frequently reprints ordered, but not within the time that I have been chairman of the committee.

Mr. STAFFORD. I think these matters ought to go over for further consideration. I hope the gentleman will not submit any more.

Mr. BARNHART. I think that they ought to be submitted and disposed of. The committee has had them for a long time, and as far as the committee is concerned it would like to be absolved from any further obligation in the matter.

Mr. STAFFORD. Can the gentleman assure us that there will be no more at this session?

Mr. BARNHART. There are no more before the committee.

Mr. CARY. I would suggest to the gentleman that he offer them all in bulk, let them be read by title, and passed at once.

Mr. BARNHART. If the gentleman will ask unanimous consent I am willing to have it done.

Mr. CARY. Mr. Speaker, I ask unanimous consent that the chairman of the committee offer all these bills for reprint of soil surveys in bulk and the titles be read and we vote on them as one.

The SPEAKER pro tempore. The gentleman from Wisconsin asks unanimous consent that the gentleman from Indiana may offer all of the resolutions in bulk and be voted upon as one.

Mr. MANN. I object.

The SPEAKER pro tempore. The question is on agreeing to the resolution.

The resolution was agreed to.

SOIL SURVEY, BRYAN COUNTY, OKLA. (H. REPT. NO. 1470).

Mr. BARNHART. Mr. Speaker, I submit another resolution and ask its immediate consideration.

The Clerk read as follows:

House resolution 102.

Resolved, That 2,000 additional copies of the soil survey of Bryan County, Okla., as made by the Bureau of Soils of the Department of Agriculture, be printed for use in the House document room.

Mr. MANN. How many copies are provided for in this resolution?

Mr. BARNHART. Two thousand.

Mr. MANN. I thought in the Harrison resolution it was fixed at 1,000 copies.

Mr. BARNHART. Probably that is all the resolution asked for.

Mr. MANN. It seems to me that that is all we ought to give them.

Mr. STAFFORD. How many copies are provided for in the resolution just passed?

The CHAIRMAN. The resolution that was just passed provided for 1,000.

Mr. HUDDLESTON. I would remind the gentleman that some counties are much more populous than others. The counties in my district have 3,000 or more population, and certainly there ought to be a greater number in such counties than in counties with a less population.

Mr. MANN. The county in which my district is located has a population of 3,000,000, and yet I think a thousand copies of the soil survey will more than go around.

Mr. HUDDLESTON. It so happens that the people I speak of have a great interest in these surveys.

Mr. ALMON. Mr. Speaker, I will say to the gentleman that the Committee on Printing has investigated these matters.

Mr. MANN. Oh, no; the committee has not investigated them.

Mr. ALMON. I want to say that I went before the committee and explained to them the great demand there was in my district, and they cut it down a half.

Mr. MANN. How much does the gentleman get in his resolution?

Mr. ALMON. I have had the promise of 2,000, and that will not supply the demand in Madison County.

Mr. STAFFORD. I think there ought to be one rule followed. We are granting favors to Members here.

Mr. MANN. After all, it is for the benefit of the people.

Mr. STAFFORD. We are picking out 12 and giving a persimmon to them in the nature of a reprint. Why should not the persimmons be for all?

Mr. ALMON. Mr. Speaker, I hope the gentleman from Wisconsin will not object.

The supply has been exhausted in most of them. Madison County is the largest county, and the county that has taken the lead in agriculture in Alabama, the first to organize a livestock association and the first to eradicate the cattle tick, and the people there are clamoring for these reports. I asked for 5,000, and the committee has cut it down to 2,000, costing less than \$500. I trust that no one will object to it.

Mr. BARNHART. The gentleman from Wisconsin [Mr. STAFFORD], after hearing the pathetic appeal of the gentleman from Alabama, can understand how it is impossible for the Committee on Printing to resist.

Mr. STAFFORD. I can now understand the worries the gentleman has had in times past and how well he has borne up under them with his benign smile.

The SPEAKER pro tempore. The question is on agreeing to the resolution.

The resolution was agreed to.

SOIL SURVEY OF PERRY COUNTY, ALA. (H. REPT. NO. 1472).

Mr. BARNHART. Mr. Speaker, I submit the following privileged resolution, which I send to the desk.

The Clerk read as follows:

House resolution 177.

Resolved, That there be printed 1,000 additional copies of the Soil Survey of Perry County, Ala., for the use of the Department of Agriculture.

With the following committee amendment:

Lines 2 and 3, strike out the words "for the use of the Department of Agriculture" and insert "for the use of the House document room."

The SPEAKER pro tempore. The question is on agreeing to the committee amendment.

The committee amendment was agreed to.

The resolution as amended was agreed to.

SOIL SURVEY OF MADISON COUNTY, ALA. (H. REPT. NO. 1473).

Mr. BARNHART. Mr. Speaker, I submit another privileged resolution, which I send to the desk.

The Clerk read as follows:

House resolution 231.

Resolved, That there be printed 5,000 additional copies of the Soil Survey of Madison County, Ala., for the use of the House document room.

With the following committee amendment:

In line 1 strike out the word "five" and insert the word "two."

The SPEAKER pro tempore. The question is on agreeing to the committee amendment.

The committee amendment was agreed to.

The resolution as amended was agreed to.

SOIL SURVEY OF JEFFERSON COUNTY, ALA. (H. REPT. NO. 1471).

Mr. BARNHART. Mr. Speaker, I submit the following privileged resolution, which I send to the desk.

The Clerk read as follows:

House concurrent resolution 74.

Resolved, That there be printed 2,500 additional copies of the Soil Survey of Jefferson County, Ala., for the use of the House document room.

With the following committee amendment:

Strike out the words "five hundred."

The SPEAKER pro tempore. The question is on agreeing to the committee amendment.

The committee amendment was agreed to.

The resolution as amended was agreed to.

SOIL SURVEY OF NEW ORLEANS AREA, LOUISIANA (H. REPT. NO. 1474).

Mr. BARNHART. Mr. Speaker, I submit another privileged resolution, which I send to the desk.

The Clerk read as follows:

House resolution 263.

Resolved, That there shall be printed 1,000 copies of the Soil Survey of the New Orleans Area, Louisiana, for the use of the House document room.

The SPEAKER pro tempore. The question is on agreeing to the resolution.

Mr. MANN. Who gets this?

Mr. BARNHART. Mr. DUPRE.

Mr. MANN. I have no objection, but I just like to know out of curiosity.

The SPEAKER pro tempore. The question is on agreeing to the resolution.

The resolution was agreed to.

SOIL SURVEY OF CHESTERFIELD COUNTY, S. C. (H. REPT. NO. 1475).

Mr. BARNHART. Mr. Speaker, I submit another privileged resolution, which I send to the Clerk's desk and ask to have read.

The Clerk read as follows:

House resolution 267.

Resolved, That there be printed 1,250 additional copies of the pamphlet entitled "Soil Survey of Chesterfield County, S. C.," for the use of the House document room.

The SPEAKER pro tempore. The question is on agreeing to the resolution.

Mr. MOORE of Pennsylvania. Mr. Speaker, will the gentleman yield for a question?

Mr. BARNHART. Yes.

Mr. MOORE of Pennsylvania. I have had it in mind to introduce a resolution to provide for the printing of 10,000 copies of the Declaration of Independence in order that some of the people of the United States might reread that document, and also for the printing of 10,000 copies of the Constitution of the United States. Is the gentleman in position to say whether those two propositions would have consideration before his committee?

Mr. BARNHART. Oh, yes. All resolutions of that character introduced have consideration before the Committee on Printing, and the gentleman from Pennsylvania, if he will introduce his resolutions and come before the committee, will surely have a favorable hearing and most likely a favorable report.

Mr. MOORE of Pennsylvania. I thank the gentleman. I shall introduce the resolution and ask for the reprinting of the Declaration of Independence and the Constitution of the United States. It may do some good.

Mr. Speaker, I ask unanimous consent to extend and revise my remarks upon the naval appropriation bill.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. SMITH of Idaho. Mr. Speaker, I ask unanimous consent to extend my remarks on the naval appropriation bill.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The SPEAKER pro tempore. The question is on agreeing to the resolution.

The resolution was agreed to.

SOIL SURVEY OF DECATUR COUNTY, GA. (H. REPT. NO. 1476).

Mr. BARNHART. Mr. Speaker, I submit another privileged resolution and ask for its present consideration.

The SPEAKER pro tempore. The Clerk will report the resolution.

The Clerk read as follows:

House resolution 379.

Resolved, That there be printed 1,250 additional copies of the Soil Survey of Decatur County, Ga., for the use of the House document room.

Mr. MANN. Who gets this?

Mr. BARNHART. Mr. PARK, of Georgia.

Mr. STAFFORD. Will the gentleman inform the House whether there is any resolution covering the Northern States which might possibly have impoverished soils, or is it confined to the Southern States?

Mr. BARNHART. The committee did not consider the question in a sectional way at all; it considered the separate bills as they came to the committee.

Mr. STAFFORD. It just happened that the most of them are in the South?

Mr. BARNHART. The committee took the bills as they were introduced and as they happened to come before it.

Mr. HUDDLESTON. The presumption is that these soil surveys come from localities where there is a movement in real estate.

Mr. STAFFORD. Then it would presume to be stagnant in the North.

Mr. HUDDLESTON. I think so.

The question was taken, and the resolution was agreed to.

SOIL SURVEY OF TIFT COUNTY, GA. (H. REPT. NO. 1477).

Mr. BARNHART. Mr. Speaker, I offer another privileged resolution and ask for its present consideration.

The SPEAKER pro tempore (Mr. BYRNS of Tennessee). The Clerk will report the resolution.

The Clerk read as follows:

House resolution 380.

Resolved, That there be printed 2,000 additional copies of the Soil Survey of Tift County, Ga., for the use of the House document room.

The question was taken, and the resolution was agreed to.

RECONNOISSANCE SOIL SURVEY OF NORTHEASTERN PENNSYLVANIA (H. REPT. NO. 1478).

Mr. BARNHART. Mr. Speaker, I submit another privileged resolution and ask for its passage.

The Clerk read as follows:

House resolution 460.

Resolved, That there be printed 2,000 additional copies of the Reconnaissance Soil Survey of Northeastern Pennsylvania for use of the House document room.

The committee amendment was read, as follows:

After the word "printed" strike out "2,000" and insert "1,500."

Mr. MANN. Who gets this?

Mr. BARNHART. Mr. KIESS of Pennsylvania.

The question was taken and the committee amendment was agreed to.

The question was taken and the resolution as amended was agreed to.

BIOGRAPHICAL CONGRESSIONAL DIRECTORY (H. REPT. NO. 1479).

Mr. BARNHART. Mr. Speaker, I submit a final privileged resolution and ask the attention of the House while it is being read.

The Clerk read, as follows:

House concurrent resolution 23.

Resolved by the House of Representatives (the Senate concurring), That there be printed and bound 10,000 copies of the Biographical Congressional Directory, revised and corrected to the Sixty-fourth Congress, under the direction of the Joint Committee on Printing, 7,000 copies for the use of the House of Representatives and 3,000 copies for the use of the Senate.

Mr. MANN. Does that involve two volumes?

Mr. BARNHART. Two.

Mr. MANN. One being the old volume?

Mr. BARNHART. No; it only brings it up to date. It is revised and corrected.

Mr. MANN. That is what I thought; it is to take the old volume—

Mr. BARNHART. And add another to it.

Mr. MANN. And add another volume to it.

Mr. STAFFORD. Will the gentleman explain what it will cost for the printing of this?

Mr. BARNHART. Six thousand four hundred and twenty-seven dollars.

Mr. STAFFORD. Will an additional expense be occasioned by the payment to any clerk attached to the joint committee?

Mr. BARNHART. There was not in the last revision. There was an effort made to secure an allowance, but Congress never did allow it.

Mr. STAFFORD. And a good chance Congress will not allow it now.

Mr. BARNHART. Would not allow it by consent of the present chairman of the committee.

Mr. SMITH of Idaho. Who is supposed to do this work of revision?

Mr. BARNHART. That is supposed to be done by the clerk of the Joint Committee on Printing, I take it.

Mr. SMITH of Idaho. It seems to me he has got his hands pretty full now to take on such an important work as that.

Mr. STAFFORD. The work has been going right along.

Mr. SMITH of Idaho. It has been done heretofore by extra time, and the clerk ought to be paid for it.

Mr. BARNHART. It was done by extra time, and the last time there was no allowance.

Mr. SMITH of Idaho. And he should be entitled to his pay. He worked at night.

Mr. STAFFORD. This work has been done in the recent past in connection with his regular work as clerk of the committee.

Mr. SMITH of Idaho. No; it was done by a clerk in the Secretary's office.

Mr. MANN. The Congressional Directory for years has carried information about the duties of the various departments of the Government. Why is that left out of the last one?

Mr. BARNHART. For the reason that from time to time the names that were submitted by the departments had accumulated into such a volume that the directory was too cumbersome; and, moreover, the enormous expense of print paper at present is such that it is the purpose of the Joint Committee on Printing that the number of the pages in the book be curtailed to the immediate needs at this time.

Mr. MANN. That does not answer the question. The gentleman talks about names. What names does the gentleman have reference to?

Mr. BARNHART. The names of the subordinate officers of the various departments.

Mr. MANN. Those are in the directory. Evidently the gentleman has not given consideration to it. What they have left out is the part that describes the duties of the different departments. I do not know how other gentlemen are, but that is a matter of constant reference in my office. We do not keep old directories lying around. New directories are on the table.

Every day, nearly, some letter comes along, and you want to know what department to visit in order to find out about it. My secretary constantly refers to the Congressional Directory for that information, which is valuable. You have left it out, although it is the most valuable information in the directory outside of the names of Members of Congress.

Mr. STAFFORD. Will the gentleman yield? I have in my hand a recent issue of the Congressional Directory, which gives the work of the various departments, and I wonder whether he refers to something else besides the duties of the various departments and duties of the Government.

Mr. MANN. The trouble with the gentleman is that he is slow.

Mr. STAFFORD. Not so very. Of course, slow in comparison with the gentleman as the leader.

Mr. MANN. Yes. You have the December directory. The last edition was issued in February.

Mr. STAFFORD. This is the one I received at the Clerk's desk. I do not have the latest here. Of course, no one can keep pace with the pacemaker of the House.

The SPEAKER pro tempore. The question is on agreeing to the concurrent resolution.

The resolution was agreed to.

PAYMENT OF CERTAIN CLAIMS.

Mr. BYRNES of South Carolina. Mr. Speaker, I ask to take from the Speaker's table the bill S. 1878 and move that the House insist on its amendment and agree to the conference asked for by the Senate.

The SPEAKER pro tempore. The gentleman from South Carolina asks to take from the Speaker's table the bill S. 1878 and insist on the House amendment, and agree to the conference asked for by the Senate. The Clerk will report the bill by title.

The Clerk read as follows:

An act (S. 1878) making appropriations for payment of certain claims in accordance with the findings of the Court of Claims in accordance with the act approved March 3, 1883, commonly known as the Bowman and Tucker Act, and under the provision of section 151 of the act approved March 3, 1911, commonly known as the Judicial Code.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from South Carolina that the House insist on its amendment and agree to the conference asked by the Senate? [After a pause.] The Chair hears none.

EXTENSION OF REMARKS.

Mr. MONDELL. Mr. Speaker, I ask unanimous consent to extend my remarks in the Record on the subject of the naval bill.

The SPEAKER pro tempore. The gentleman from Wyoming [Mr. MONDELL] asks unanimous consent to extend his remarks in the Record. Is there objection?

There was no objection.

PAYMENT OF CERTAIN CLAIMS.

Mr. BYRNES of South Carolina. Mr. Speaker, I ask unanimous consent that the present occupant of the chair be allowed to name the conferees on the conference asked for and agreed to by the House just now on Senate bill 1878.

The SPEAKER pro tempore. The gentleman from South Carolina asks unanimous consent that the present occupant of the chair may announce the conferees upon the Senate bill 1878, on the part of the House. Is there objection? [After a pause.] The Chair hears none. The Chair announces the following conferees: Mr. GREGG, Mr. BYRNES of South Carolina, and Mr. FOCHT.

EXTENSION OF REMARKS.

Mr. SEARS. Mr. Speaker, for fear that the gentleman from Wisconsin [Mr. COOPER] misunderstood me, I ask unanimous consent to extend and revise and include certain remarks in my speech of this afternoon on the naval bill.

The SPEAKER pro tempore. The gentleman from Florida [Mr. SEARS] asks unanimous consent to extend and revise his remarks in the Record on the naval bill. Is there objection? [After a pause.] The Chair hears none.

HOOR OF MEETING TO-MORROW.

Mr. KITCHIN. Mr. Speaker, since on to-morrow we are going to have the presidential count, and that will take place at 1 o'clock p. m., it will be impossible for the House to do much business until that time, and therefore I ask unanimous consent that when the House adjourns to-day it adjourn to meet at 12.30 p. m. to-morrow.

The SPEAKER pro tempore. The gentleman from North Carolina [Mr. KITCHIN] asks unanimous consent that when the House adjourns to-day it adjourn to meet at 12.30 o'clock

p. m. to-morrow. Is there objection? [After a pause.] The Chair hears none.

Mr. FIELDS. Will the gentleman from North Carolina [Mr. KITCHIN] yield to me for a question? Will the Army appropriation bill be taken up immediately?

Mr. KITCHIN. No; but on Thursday morning. We will have Calendar Wednesday business to-morrow.

Hour of Meeting on Thursday.

Mr. KITCHIN. Mr. Speaker, I ask unanimous consent that when the House adjourns to-morrow, Wednesday, it adjourn to meet the next day, Thursday, at 11 o'clock a. m.

The SPEAKER pro tempore. The gentleman from North Carolina asks unanimous consent that when the House adjourns to-morrow, Wednesday, it adjourn to meet on Thursday at 11 o'clock a. m. Is there objection? [After a pause.] The Chair hears none.

Enrolled Bills Signed.

Mr. LAZARO, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bills of the following titles, when the Speaker signed the same:

H. R. 10697. An act for the relief of S. Spencer Carr;

H. R. 8092. An act confirming patents heretofore issued to certain Indians in the State of Washington; and

H. R. 17055. An act providing when patents shall issue to the purchaser or heirs on certain lands in the State of Oregon.

The SPEAKER announced his signature to enrolled bill of the following title:

S. 7486. An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent relatives of such soldiers and sailors.

Enrolled Bills Presented to the President for His Approval.

Mr. LAZARO, from the Committee on Enrolled Bills, reported that this day they had presented to the President of the United States, for his approval, the following bills:

H. R. 8492. An act to restore homestead rights in certain cases;

H. R. 8669. An act authorizing the Secretary of the Interior to extend the lease of certain land in Stanley County, S. Dak., for a buffalo pasture; and

H. R. 17055. An act providing when patents shall issue to the purchaser or heirs on certain lands in the State of Oregon.

Message from the Senate.

A message from the Senate, by Mr. Waldorf, its enrolling clerk, announced that the Senate had insisted upon its amendments to the bill (H. R. 19359) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1918, disagreed to by the House of Representatives, had agreed to the conference asked by the House on the disagreeing votes of the two Houses thereon, and had appointed Mr. SMITH of South Carolina, Mr. SMITH of Georgia, and Mr. WARREN as the conferees on the part of the Senate.

The message also announced that the Senate had disagreed to the amendments of the House of Representatives to Senate amendments Nos. 13 and 98 to the bill (H. R. 19119) making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1918, and for other purposes, had insisted upon the amendments of the Senate to said bill and agreed to the conference asked by the House on the disagreeing votes of the two Houses thereon, and had appointed Mr. SMITH of Maryland, Mr. ROBINSON, and Mr. GALLINGER as the conferees on the part of the Senate.

The message also announced that the Senate had passed without amendment bills of the following titles:

H. R. 14074. An act granting the consent of Congress to the village of Fox Lake, in the county of Lake, State of Illinois, to construct a bridge across both arms of the Fox River where it connects Pistakee Lake and Nippersink Lake, at a point suitable to the interests of navigation, in the county of Lake, State of Illinois;

H. R. 17602. An act granting the consent of Congress to the county commissioners of Polk County, Minn., and Grand Forks County, N. Dak., to construct a bridge across Red River of the North, on the boundary line between said States;

H. R. 17710. An act authorizing the construction of a bridge across the Tullapoosa River, separating the counties of Montgomery and Elmore, in the State of Alabama, at a point somewhere between Judkin Ferry and Hughes Ferry; and

H. R. 18529. An act granting the consent of Congress to the police jury of Rapides Parish, La., to construct a bridge across Red River at or near Boyce, La.

The message also announced that the Senate had passed without amendment the following resolution:

House concurrent resolution 65.

Resolved by the House of Representatives (the Senate concurring). That there shall be printed as a House document 1,500 copies of the Journal of the fifty-first national encampment of the Grand Army of the Republic for the year 1917, not to exceed \$1,700 in cost, with illustrations, 1,000 copies of which shall be for the use of the House and 500 for the use of the Senate.

The message also announced that the Senate had passed the following resolution:

House concurrent resolution 70.

Resolved by the House of Representatives (the Senate concurring). That there be printed 5,000 copies, bound in buckram, for the use of the House of Representatives, of the manuscript prepared by Hon. MERRILL MOORES, being a digest of contested-election cases in the House of Representatives from 1901 to 1917, together with laws relating to contested elections in the House of Representatives and campaign contributions and expenditures.

With the following amendment:

Line 3, strike out "for the use of the House of Representatives."

Line 7, after "expenditures," insert "of which 1,000 copies shall be for the use of the Senate and 4,000 copies for the use of the House."

The message also announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 3331) to amend an act entitled "An act to regulate the construction of dams across navigable waters," approved June 21, 1906, as amended by the act approved June 23, 1910, and to provide for the improvement and development of waterways for the uses of interstate and foreign commerce, had requested a further conference with the House on the said bill and amendment thereto, and had appointed Mr. SHIELDS, Mr. BANKHEAD, and Mr. NELSON as the conferees on the part of the Senate.

Extension of Remarks.

Mr. CARY. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD in regard to the foreign situation.

The SPEAKER pro tempore. The gentleman from Wisconsin asks unanimous consent to extend his remarks in regard to the foreign situation. Is there objection?

There was no objection.

Appointment of Speaker Pro Tempore on Sunday.

The SPEAKER. The Chair appoints Mr. JACOWAY to preside next Sunday at the memorial services on the late Senator CLARKE of Arkansas.

Adjournment.

Mr. KITCHIN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 10 minutes p. m.) the House adjourned, pursuant to the special order, until to-morrow, Wednesday, February 14, 1917, at 12 o'clock and 30 minutes p. m.

Reports of Committees on Private Bills and Resolutions.

Under clause 2 of Rule XIII, private bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. MILLER of Delaware, from the Committee on Claims, to which was referred the bill (H. R. 15656) for the relief of Charles W. Anderson, reported the same without amendment, accompanied by a report (No. 1455), which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill (H. R. 16482) to reimburse Capt. E. D. Kremers, Medical Corps, United States Army, for rent of quarters at Honolulu, Hawaii, reported the same without amendment, accompanied by a report (No. 1456), which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 15572) for the relief of W. T. Dingler, reported the same without amendment, accompanied by a report (No. 1457), which said bill and report were referred to the Private Calendar.

Mr. FOSTER, from the Committee on Claims, to which was referred the bill (H. R. 2742) to reimburse Isaiah Stephens, postmaster of McMechen, Marshall County, W. Va., for money and postage stamps stolen, reported the same without amendment, accompanied by a report (No. 1458), which said bill and report were referred to the Private Calendar.

Mr. RUSSELL of Ohio, from the Committee on Claims, to which was referred the bill (H. R. 5990) to reimburse S. S. Buzzard, postmaster of Berkeley Springs, Morgan County, W. Va., for cash stolen, reported the same without amendment, accompanied by a report (No. 1459), which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill (H. R. 1659) for the relief of Carrie A. Notley, reported the same without amendment, accompanied by a report (No. 1460), which said bill and report were referred to the Private Calendar.

Mr. EDMONDS, from the Committee on Claims, to which was referred the bill (H. R. 1623) for the relief of George F. Weaver, reported the same with amendment, accompanied by a report (No. 1461), which said bill and report were referred to the Private Calendar.

Mr. FOSTER, from the Committee on Claims, to which was referred the bill (H. R. 9171) for the relief of Arthur J. Burdick, reported the same with amendment, accompanied by a report (No. 1462), which said bill and report were referred to the Private Calendar.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. REILLY: A bill (H. R. 20892) to establish aids to navigation at Fond du Lac Harbor, Wis.; to the Committee on Appropriations.

By Mr. LINDBERGH: A bill (H. R. 20893) authorizing the county of Morrison, Minn., to construct a bridge across the Mississippi River in said county; to the Committee on Interstate and Foreign Commerce.

By Mr. RAKER: A bill (H. R. 20894) to include certain lands in the counties of Modoc and Siskiyou, Cal., in the Modoc National Forest, and for other purposes; to the Committee on the Public Lands.

By Mr. TAVENNER: A bill (H. R. 20895) to repeal the provision for compulsory military service in the national defense act approved June 3, 1916; to the Committee on Military Affairs.

By Mr. CARLIN: A bill (H. R. 20896) to provide for the issuance of search warrants and the seizure and detention of property thereunder, and for other purposes; to the Committee on the Judiciary.

By Mr. MILLER of Minnesota: Resolution (H. Res. 502) directing the Secretary of War to transmit information relative to aeroplane service in Mexico; to the Committee on Military Affairs.

Mr. HAMILTON of Michigan: Resolution (H. Res. 503) authorizing the printing as a House document the pamphlet entitled "Handbook on care and operation of gasoline engines"; to the Committee on Printing.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. EVANS: A bill (H. R. 20897) granting an increase of pension to William Horrigan; to the Committee on Invalid Pensions.

By Mr. FARR: A bill (H. R. 20898) granting an increase of pension to Margaret Orren; to the Committee on Invalid Pensions.

By Mr. HAMLIN: A bill (H. R. 20899) granting an increase of pension to David W. Bachelder; to the Committee on Invalid Pensions.

By Mr. JOHNSON of Washington: A bill (H. R. 20900) for the relief of the State of Washington; to the Committee on Claims.

By Mr. McARTHUR: A bill (H. R. 20901) granting an increase of pension to Timothy Kelly; to the Committee on Invalid Pensions.

By Mr. PLATT: A bill (H. R. 20902) granting an increase of pension to Abraham Rapelye; to the Committee on Invalid Pensions.

By Mr. RAKER: A bill (H. R. 20903) for the relief of Mrs. Annie M. Lepley, as postmaster at Plymouth, Amador County, Cal., for money, postal-money orders, and postage stamps stolen; to the Committee on Claims.

By Mr. RAUCH: A bill (H. R. 20904) granting an increase of pension to Jacob H. Bentz; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By the SPEAKER (by request): Petition of sundry citizens of Owatonna, Minn., protesting against a declaration of war; to the Committee on Foreign Affairs.

By Mr. CARY: Petition of the Wine and Spirit Importers' Society of the United States, protesting against the passage of the Bankhead bill or the rider to the Post Office appropriation bill; to the Committee on the Post Office and Post Roads.

Also, petition of committee on the suppression of the pine blister in North America, relative to appropriation for the suppression of the pine-blister rust, and urging the support of the amendment to the Federal quarantine act; to the Committee on Agriculture.

By Mr. DALE of New York: Petition of Miss Mary W. Parsons, Asheville, N. C., favoring the migratory-bird treaty act; to the Committee on Foreign Affairs.

Also, petition of sundry members of National Legislative and Information Bureau, opposing House bill 20752 and Senate bill 8201; to the Committee on Interstate and Foreign Commerce.

By Mr. DARROW: Petition of editors and editorial staff of the Philadelphia Record, in favor of the volunteer officers' retired-list bill; to the Committee on Military Affairs.

By Mr. EAGAN: Petition of Cranford M. Bishop, of Summit, N. J., approving universal military service; to the Committee on Military Affairs.

Also, petition of committee on the suppression of the pine blister in North America, relative to appropriation for the suppression of the pine-blister rust; to the Committee on Agriculture.

Also, memorial of the New Jersey Division of the National Woman's Peace Party, against compulsory military training; to the Committee on Military Affairs.

Also, petition of Federal Employees' Union, relative to including the 5 and 10 per cent increase in salaries in the sundry civil bill; to the Committee on Appropriations.

By Mr. FULLER: Petition of First Congregational Church of Oswego, Ill., for a national constitutional prohibition amendment; to the Committee on the Judiciary.

Also, petition of Carl Poltrock, of Ottawa, Ill., for Callaway referendum resolution; to the Committee on Foreign Affairs.

Also, petition of several citizens of Illinois, favoring the migratory-bird treaty act; to the Committee on Foreign Affairs.

Also, petition of John Wissen, president Juergen Muentz Society, against war with any foreign power unless war is first declared against the United States; to the Committee on Foreign Affairs.

By Mr. GALLIVAN: Memorial of a meeting of the executive committee of the Massachusetts Branch of the German-American Alliance, held at Boston February 9, 1917, opposing a declaration of war; to the Committee on Foreign Affairs.

Also, memorial of a meeting of the Board of Government of the Hooker Association of Massachusetts, favoring universal and compulsory military training of all male citizens of the United States; to the Committee on Military Affairs.

Also, memorial adopted at a mass meeting held at Krueger Auditorium, Newark, N. J., February 10, 1917, opposing a declaration of war unless the question of war be submitted to a referendum of the people; to the Committee on Foreign Affairs.

By Mr. GARRETT: Petition of 100 Christian church people of Kenton; 100 people of North Christian Union, of Kenton; 25 people of Troy; church people of Rives; 40 people of Medon; 50 people of Kenton; 50 people of Medon; and churches of Rives, all in the State of Tennessee, for national constitutional prohibition amendment; to the Committee on the Judiciary.

By Mr. GORDON: Memorial of the council of the city of Cleveland, Ohio, urging the adoption of House joint resolution 355; to the Committee on Appropriations.

By Mr. HEATON: Memorial adopted by Local Union No. 1500, United Mine Workers of America, Mahanoy City, Pa., requesting an investigation of the high cost of living, with the end in view to reduce same; to the Committee on Interstate and Foreign Commerce.

By Mr. HOLLINGSWORTH: Memorial of William P. Davis and 14 other post-office officials and mail carriers at Salem, Ohio, asking increase of wages; to the Committee on the Post Office and Post Roads.

By Mr. HOWELL: Memorials of National Wool Growers' Association, in favor of an experimental sheep farm under the

Department of Agriculture in the State of Idaho; to the Committee on Agriculture.

By Mr. HUTCHINSON: Petition of undergraduates of Princeton University in favor of universal military training; to the Committee on Military Affairs.

Also, petitions of 50 Flemington Woman's Christian Temperance Union people, Flemington, N. J., and 50 people at a public meeting at Bernardsville, N. J., favoring a national constitutional prohibition amendment; to the Committee on the Judiciary.

By Mr. KELLEY: Petition for an increase of pay of rural carriers from Edward J. Marshick and others; to the Committee on the Post Office and Post Roads.

By Mr. LAFEAN: Memorial of employees of Post Office Department, relative to House bill 17806; to the Committee on the Post Office and Post Roads.

Also, memorial adopted by the Equal Rights Association of Kentucky at its annual convention of 1916 to protect women against State denial of the rights of citizens of the United States to vote for Members of Congress, etc.; to the Committee on the Judiciary.

By Mr. LINTHICUM: Petition of sundry citizens of Baltimore, opposing a declaration of war unless the question of war be submitted to a referendum of the people; to the Committee on Foreign Affairs.

By Mr. McFADDEN: Letter from William P. Beeber, Williamsport, Pa., favoring the selection of Cairo, Ill., as a site for the location of the new Government armor plant; to the Committee on Naval Affairs.

By Mr. MORIN: Petition of Mr. B. L. Becker, secretary of the Pittsburgh Rationalist Society, Pittsburgh, Pa., protesting against anything that will embroil the Nation in war; to the Committee on Foreign Affairs.

Also, petition of Jessie Leigh Hutchinson, corresponding secretary of the Kentucky Equal Rights' Association, of Lexington, Ky., with reference to the enactment of laws that "shall abridge the privileges or immunities of citizens of the United States"; to the Committee on the Judiciary.

By Mr. OVERMYER: Petition of Sandusky Local, Socialist Party of Ohio, protesting against involving this country in the European war and favoring complete embargo against the warring nations; to the Committee on Foreign Affairs.

By Mr. SNELL: Petition of members of Congregational Church of Willsboro, N. Y., Rev. C. W. Grupe, Mrs. C. W. Grupe, W. H. Mussen, E. A. Lewis, E. W. Hoskins, F. F. Hayward, Mrs. Mussen, Mrs. Sadie F. Hoffnagle, Mrs. Jacob Reaffel, Miss E. E. Reed, E. B. Shedd, A. B. Chatterton, Mrs. Carrie Higby, Mrs. Jennie J. Hoskins, Mrs. Thomas Rathbun, Mrs. Leon Weston, Oscar F. Styles, Mrs. William Nichols, J. M. Shedd, Elizabeth Morhous, L. H. Baldwin, C. H. Stafford, and W. B. Seymour, favoring submission to the States of a national prohibition amendment; to the Committee on the Judiciary.

By Mr. SNYDER: Petition of the Rome (N. Y.) Typographical Union, against legislation prohibiting the advertising in newspapers of alcoholic liquors; to the Committee on the Judiciary.

Also, petition of the Rome (N. Y.) Typographical Union, for increased compensation of printers in United States post offices; to the Committee on the Post Office and Post Roads.

By Mr. STAFFORD: Petitions of residents of the fifth Wisconsin district, protesting against national and District of Columbia prohibition and the mail-exclusion acts; to the Committee on the District of Columbia.

By Mr. TAYLOR of Colorado: Petition of citizens of Grand Junction, Colo., protesting against the proposed zone rate of postage for periodicals and magazines; to the Committee on the Post Office and Post Roads.

Also, memorial of State legislative committee of the Farmers' Educational and Cooperative Union of Colorado, protesting against the passage of the Shields water-power bill; to the Committee on Interstate and Foreign Commerce.

Also, petitions of 50 members of the Woman's Christian Temperance Union of Hotchkiss; 53 members of Sunday school and 36 members of Bible assembly of Montrose, Colo., favoring national prohibition; to the Committee on the Judiciary.

By Mr. TIMBERLAKE: Petitions of Methodist Church, Lafayette; Friends' Woman's Foreign Missionary Society, Boulder; Ladies' Aid of Baptist Church, Boulder; Woman's Home Mission Society, Boulder; the Nazarene Congregation, Boulder; Erie Methodist Episcopal Congregation, Erie; Boulder Assembly, No. 69, National Americans, Boulder; Methodist Sunday School, Lafayette; Christian Woman's Board of Missions, Boulder, all in the State of Colorado, favoring a national constitutional prohibition amendment; to the Committee on the Judiciary.

SENATE.

WEDNESDAY, February 14, 1917.

The Senate met at 10 o'clock a. m.

The Chaplain, Rev. Forrest J. Prettyman, D. D., offered the following prayer:

Almighty God, as we are called upon once more to face the solemn responsibilities of this hour and this place, we call upon Thy name and open our hearts to the impression of Thy truth and spirit. Every thought of God elevates and chastens our minds, and every thought of our hearts we desire to bring into subjection to Thy will that we may understand the far-reaching influence of all the acts of our lives, especially when we act as representatives of the States of this great country. Guide us this day in the discharge of the duties that are before us, and at its close may we have the comfortable assurance that we have done that which is pleasing in Thy sight. For Christ's sake. Amen.

Mr. JONES. Mr. President, there are not more than a dozen Senators present, and to save time I raise the point of no quorum.

Mr. PENROSE. I think the Senator is incorrect. There are nine Senators present.

The VICE PRESIDENT. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Hollis	Page	Smith, Ga.
Brady	Jones	Penrose	Smith, Md.
Brandagee	Kenyon	Pomerene	Smith, S. C.
Bryan	La Follette	Ransdell	Smoot
Clapp	Lodge	Robinson	Stone
Curtis	Martin, Va.	Shafroth	Sutherland
Fernald	Martine, N. J.	Sheppard	Thomas
Fletcher	Norris	Shields	Weeks
Gallinger	Overman	Simmons	

The VICE PRESIDENT. Thirty-five Senators have answered to the roll call. There is not a quorum present. The Secretary will call the roll of absentees.

The Secretary called the names of the absent Senators, and Mr. OLIVER, Mr. VARDAMAN, Mr. WADSWORTH, and Mr. WALSH answered to their names when called.

Mr. BANKHEAD entered the Chamber and answered to his name.

The VICE PRESIDENT. Forty Senators have answered to the roll call. There is not a quorum present.

Mr. BRYAN. I move that the Sergeant at Arms be directed to request the attendance of absent Senators.

The motion was agreed to.

The VICE PRESIDENT. The Sergeant at Arms will carry out the instructions of the Senate.

Mr. SHEPPARD. I wish to state that the Senator from Oregon [Mr. CHAMBERLAIN] is detained from the Senate on official business.

Mr. KIRBY, Mr. JOHNSON of South Dakota, Mr. THOMPSON, Mr. LANE, Mr. WORKS, Mr. NELSON, Mr. LEA of Tennessee, Mr. LEWIS, Mr. HUSTING, and Mr. CUMMINS entered the Chamber and answered to their names.

Mr. LEA of Tennessee. I have been requested to announce that the senior Senator from Kentucky [Mr. JAMES] is detained on official business.

The VICE PRESIDENT. Fifty Senators have answered to the roll call. There is a quorum present. The Secretary will read the Journal of the proceedings of the preceding session.

The Secretary proceeded to read the Journal of yesterday's proceedings, when, on request of Mr. BRYAN and by unanimous consent, the further reading was dispensed with and the Journal was approved.

ENROLLED BILL SIGNED.

The VICE PRESIDENT announced his signature to the enrolled bill (H. R. 8092) confirming patents heretofore issued to certain Indians in the State of Washington, which had previously been signed by the Speaker of the House of Representatives.

PETITIONS AND MEMORIALS.

Mr. LODGE. I present resolutions adopted by the House of Representatives of the Legislature of the Commonwealth of Massachusetts, which I ask may be read.

The resolutions were read and ordered to lie on the table, as follows:

THE COMMONWEALTH OF MASSACHUSETTS.
HOUSE OF REPRESENTATIVES.

February 9, 1917.

Ordered, That it is the sense of the house of representatives that the citizens of the Commonwealth of Massachusetts, regardless of race, creed, color, or party, in the present national crisis, stand now, as always, as one man ready to support with their blood and treasure the